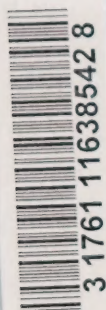


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The Consultative Group on Research and Education in Law

Canadian Law Faculties

A report to the Consultative Group on Research and Education in Law
based on the 1981 survey of Canadian law faculties and statistics
of the Canadian deans of law

John S. McKennirey

The following publications of the Consultative Group on Research and Education in Law are available on from the Social Sciences and Humanities Research Council of Canada:

Canadian Law Professors, A Report to the Consultative Group on Research and Education in Law based on the 1981 survey of full-time law professors in Canada. John S. McKennirey, 1982.

Canadian Law Faculties, A Report to the Consultative Group on Research and Education in Law based on the 1981 survey of Canadian law faculties and statistics of the Canadian deans of law. John S. McKennirey, 1982.

Profile of Published Legal Research, A Report to the Consultative Group on Research and Education in Law based on a survey of Canadian legal publications. Alice Janisch, 1982.

Sources of Support for Legal Research, A Report to the Consultative Group on Research and Education in Law based on a survey of foundations, law reform commissions, departments of justice, and attorneys and solicitors general in Canada. John S. McKennirey, 1982.

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PREFACE

The information discussed below has been drawn primarily from two sources: a survey of Canadian law faculties conducted by the Consultative Group in 1981 in which every one of the 21 professional law faculties participated, and a set of statistics collected over the past five years by the Canadian deans of law under the direction of Professor Emil Hayek of Ottawa University. As the law deans' statistics included various omissions, we have been forced to compress the information somewhat in order to obtain relatively consistent tables for several years and we have thus developed summary tables for the years 1977-78, 1978-79 and 1980-81. We have also included certain information for Ontario for 1975-76, in which year Ontario faculties alone were surveyed. Further information has been obtained from various publications of Statistics Canada, and from a statistical summary prepared by Max Von Zur-Muehlen of Statistics Canada, entitled: "Enrolment and Graduation Patterns in Law at Canadian Universities (1960-1980) and their Implications for Resource Allocation - A Statistical Documentation" (Feb. 1982). Information on law library resources was obtained from annual statistics prepared by the Canadian Association of Law Libraries.

The survey of law faculties is the counterpart to the survey of the Consultative Group addressed to law professors which was also conducted in 1981 (Canadian Law Professors: A staff Report on the Survey of Full-time Law Professors in Canada submitted to the Consultative Group on Research and Education in Law, J.S. McKennirey). The survey produced a profile of law professors in Canada, in various terms such as age, rank, education, full- and part-time work experience, research skills, methods and orientation, publications, research funding, career factors, etc. The difficult, often adverse, context in which law professors approach the matter of research became apparent in the analysis of this survey. But the picture of the context in which legal scholarship is undertaken in Canada could not be complete from a consideration of the law professors' situation alone. The institutional setting in which law professors work, in which future law professors are trained, and in which, the members of the legal profession in general receive their initial formation, is clearly crucial. Hence this examination of law faculties, which focused

on the organization, goals, resources and structures of law faculties as they bear on the question of scholarship and research in law. Its approach was first, to obtain a statistical overview of Canadian law faculties, including retrospective data where possible, covering faculty size, graduate and undergraduate enrolment, budgets and budgetary allocations (especially such key factors as resources for library budgets and salaries) and second, to address a number of detailed questions to the deans of Canadian law faculties ranging from graduate and undergraduate studies, to the influences that inform development of the faculty.

The deans of law have provided essential cooperation for this study by releasing their own statistics and by completing a lengthy and detailed questionnaire. The formulation of the questionnaire involved the substantial participation of the deans, as well as of members of the Consultative Group, in particular Professor Harry Arthurs, Chairman of the Consultative Group. Responsibility for the interpretation and analysis of the results, however, lies with the author and not with the Consultative Group to whom this report is submitted.

John S. McKennirey

June, 1982

I. A STATISTICAL OVERVIEW OF CANADIAN LAW FACULTIES

A. FACULTY AND STUDENTS

Undergraduate Enrolment

Total full-time undergraduate enrolment in Canadian Law faculties is roughly 9,500 students, of whom about 2,800 graduate each year. These numbers have been stable over the past five years, but during the fifteen years prior to 1976-77, i.e. from 1962-63, enrolment increased enormously. It rose from 2,896 in 1962-63 to 9,351 in 1976-77, more than a three-fold increase (see Figure 1). When considering this rise in enrolment, however, one should bear in mind that relative to total university enrolment, enrolment in law has been virtually unchanged (at 2.9%) since 1972-73, and there been only a small increase in this proportion even since 1962-63.¹

Legal education is almost exclusively a full-time privilege. Part-time undergraduate enrolment in law is almost non-existent since provincial law societies require completion of three years of full-time study at a recognized law faculty as a condition for licensing. As a result, the deans of law are not even in the practice of collecting statistics on numbers of part-time LLB students².

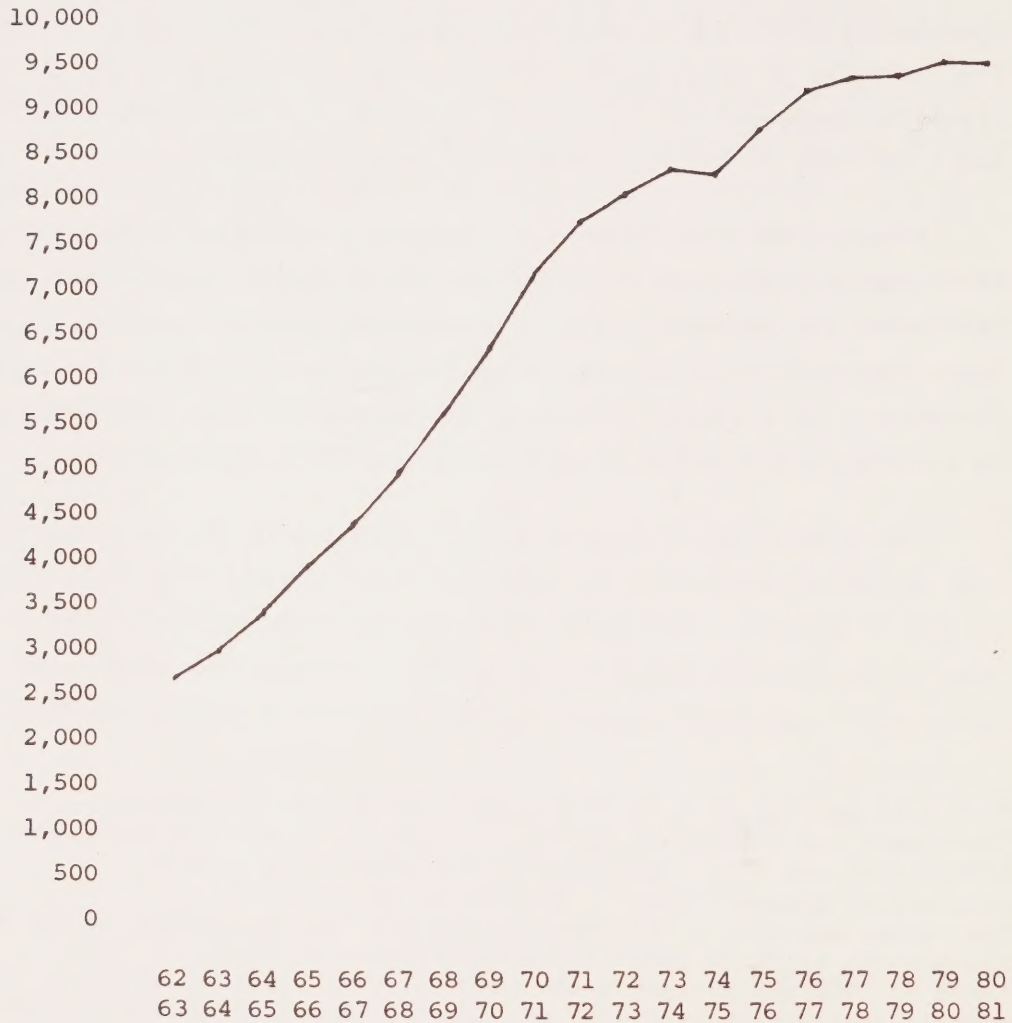
The proportion of females in the student body of law faculties has changed dramatically over the past two decades, from 5% in 1962-63 to 37% in 1980-81. The civil law faculties have enrolled nearly 45% females in 1980-81, while the proportion in common law schools is about 34%. One might expect that the increase in female law students

¹ From 2.2% in 1962 to 2.9% at present, see M. Von Zur-Muehlen, "Enrolment and Graduation Patterns in Law at Canadian Universities (1960-1980) and their implications for Resource Allocation - A Statistical Documentation". Statistics Canada, 1981.

² The reader may note a discrepancy here with the statistics in the Von Zur-Muehlen study on part-time undergraduate enrolment in law - Table 5. The explanation seems to be that he includes enrolment in certain certificate programs, and possibly students in other programs not leading to the LLB.

Figure 1 FULL-TIME UNDERGRADUATE ENROLMENT AT CANADIAN LAW FACULTIES
1962-63 to 1980-81

Full-time undergraduate
Students



Source: Statistics Canada
Education, Science & Culture
Division

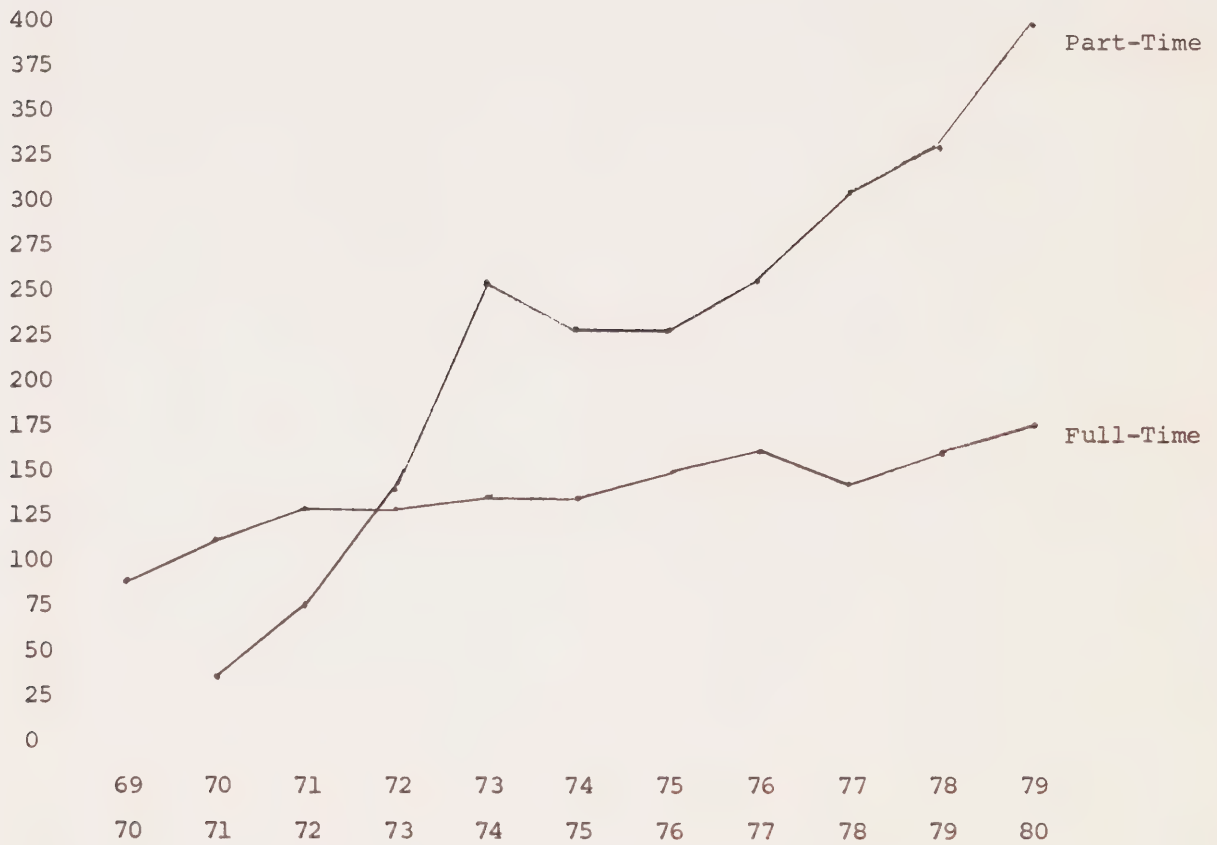
will bring with it in future an increase in female law professors. In the late sixties and early seventies the proportion of female students ranged from about 8 to 20%, and it is mainly from the ranks of these graduates that the present female professoriate, which is 11% of the total, has been drawn. In 1962-63 there were only three female full-time professors - 2% of the total of 137.

Graduate Enrolment

The graduate population is naturally of particular significance to research. In absolute numbers the full-time enrolment in master's level studies in law has risen from 84 in 1969-70 to 178 in 1979-80. But in relative terms the proportion of graduate students to undergraduates in law has been virtually unchanged for 10 years, standing at about 1.7%. Over all disciplines, master's enrolment has also been stable proportional to undergraduate enrolment, at about 7.3%. With respect to the size of undergraduate populations then, there are nearly five times fewer master's students in law than in the other disciplines. The situation regarding doctoral students is equally discouraging. The proportion of full-time doctoral students in law to undergraduates has been virtually stable at about 0.3%. The same proportion over all disciplines has also stayed much the same over the past 10 years and stands at 3.0%. Relatively speaking then, there are 10 times fewer doctoral students in law than in other disciplines. Each year fewer than 10 doctorates in law are granted, in addition to about 110 master's degrees.

While full-time graduate enrolment has grown at a relatively even pace in comparison with overall enrolment, part-time graduate studies have moved dramatically ahead, at least at the master's degree level. In 1970-71 there were 34 part-time master's students in law, 41% of the number of full-time master's students. But by 1975-76 there were 128 part-time master's students, 150% of the number of full-time master's students and by 1979-80 the 392 part-time master's students were over 200% of the number of full-time master's students. In all disciplines the equivalent proportions are 54% for 1970-71, 81% for 1975-76 and 88.0% for 1979-80. Thus, although the proportion of part-time master's students is increasing in all disciplines, law far

FIGURE 2 FULL-TIME AND PART-TIME MASTER'S ENROLMENT IN LAW
No. Students 1969-70 - 1979-80



Source: Statistics Canada
Education, Science & Culture
Division

exceeds the average. Part-time doctoral enrolment in law, however, has decreased. Whereas in 1970 there were 47 part-time doctoral students in law, in 1980 there were only 19. (This pattern is consistent with the fact that most part-time master's programs are professional rather than academic in orientation).

Faculty

As with enrolment, so numbers of full-time faculty increased rapidly in the sixties and early seventies, from 137 in 1962 to 560 in 1976 (see Figure 3). Law faculties also make extensive use of part-time faculty, for which, unfortunately, we do not have longitudinal data. We do know, however, that since 1977-78 the use of part-time faculty has been stable (see Appendix A, Tables A,B,C). There are in Canada as a whole nearly as many part-time lecturers (47%) as full-time professors. Civil law faculties make somewhat more use of part-time teachers, actually employing slightly more part-time than full-time personnel. At common law faculties part-time lecturers teach about 20% of the weekly teaching load, while at civil law institutions the proportion is about 25 to 30%. Teaching assistants or fellows do not make a substantial contribution to the teaching load (roughly 3-4%).

B. BUDGET

Allocation of Resources

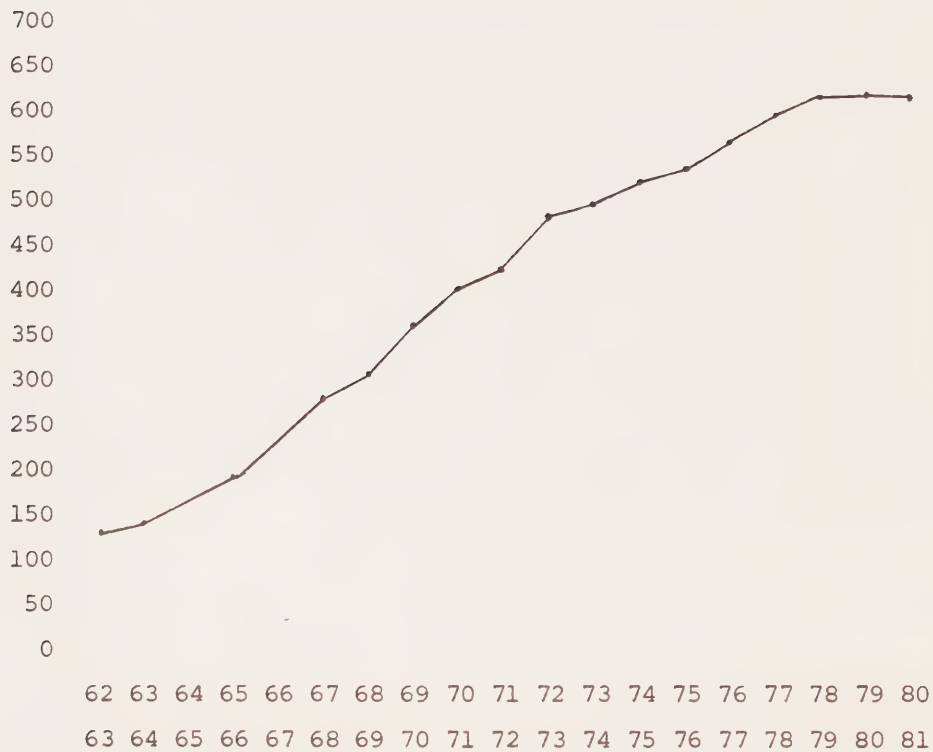
Slightly over half of the total budget of Canadian law faculties is allocated to full-time faculty salaries. While there is little difference between the 1980-81 and 1977-78 figures for the common law faculties, civil law faculties show a increased proportion of funds devoted to faculty salaries, from 52.6% in 1977-78 to 58.5% in 1980-81 (see Appendix A, Tables G to J). This is not due to relative real gains in the salaries of Quebec law professors, but reflects reductions in other budget items within faculty budgets.

The next most significant use of funds is library support which absorbs about 20% of faculty budgets. We should note that library

Figure 3

FULL-TIME LAW PROFESSORS AT CANADIAN LAW FACULTIES
1962-63 to 1980-81

No. F-T. Professors



Source: Statistics Canada
Education, Science & Culture
Division

administratively part of the university library and/or its budget does not formally pass through the law faculty. Civil law library budgets differ markedly from common law. In 1980-81 only 14% of civil law budgets went to libraries, whereas common law budgets allocated 22.5% to libraries. In 1977-78 this difference was less marked: 19% to libraries in civil law faculties, 24% in common law faculties. This confirms the reports we heard from law librarians at our Quebec regional consultation that law libraries in Quebec are under particular stringency.³ Another significant difference in library budgets between the two systems is the allocation within the library budget for salaries. In 1980-81 common law libraries allocated 57.0% of their budget to library salaries, but among civil law libraries the figure was 84.4%. This particular factor has risen since 1977-78 for both groups, from 46.7% for common law libraries and from 71.1% for civil law libraries.

Part-time faculty salaries (about 4-5% of total budget) and support staff salaries (about 10-11% of total budget) have remained stable over the years 77-78 to 80-81, with Quebec figures slightly higher in both cases.

A regional comparison of some of the most important aspects of budgetary allocation is presented in Appendix A, Table N. It is clear that Quebec faculties are in the worst budget situation, having the least funds per student, the largest proportion of budget devoted to faculty salaries, the lowest proportion to library costs, and by far the highest proportion of the library budgets devoted to library salaries. Ontario is next worst off for the same reasons, but to a significantly lesser extent.

It is interesting to compare funds within the faculty available for general research support with these other global budget figures. The total amount of standing research funds within the law faculties in 1980-81 was \$746,000 or 1.8% of the total budget; of this amount \$292,000 was provided by the faculties themselves - 0.7% of their total budgets (see Appendix C, Table 43).

³ See Section II, E. Libraries

Salaries

The salaries of law professors are discussed more fully in Canadian Law Professors. Law professors are universally unhappy with their salary levels and convinced they would be much better off financially if they were practising law. Comparative studies of compensation patterns confirm this belief, especially if one assumes that the knowledge advantages of law professors would generally locate them in prestigious, high-paying law firms. Probably as a compensation for this, they are promoted very rapidly through the academic ranks, and quickly end up concentrated (about 50%) in the full-professor grade. The average salary within the full-professor rank, however, has remained virtually stable since 1977, i.e. measured in 1971 dollars based on the Consumer Price Index.

In constant 1971 dollars the average salary levels have been as follows over the past few years:

<u>C.P.I. (1971=100)</u>		<u>Full Professor</u>	<u>Associate Professor</u>	<u>Assistant Professor</u>
160.8	1977-78	22,320	16,740	12,400
175.2	1978-79	22,800	16,530	13,100
210.6	1980-81	22,090	15,980	12,690

Apparently average salaries increase in real income only through promotion. For law professors this occurs early in their career, leaving them basically static income prospects. Though the problem is endemic to all academic salaries, it is accentuated in law by the contrast with the equivalent professional group.

One other point of interest in our salary statistics is the regional comparisons. Ontario salaries have dropped in relation to the overall average, from greater to less than average (Appendix A, Table K), and the highest salaries are now in the western provinces (Appendix A, Table M), the lowest salaries in the eastern provinces.

Student/Teacher Ratio

The question of student/teacher ratios is rather complex. Using the weighting system described above, the student/teacher ratio in all disciplines in Canada in 1979-80 (graduate students included) was 16.7 students per full-time professor. In law it was 19.4 students per full-time professor. These ratios have been quite consistent over the past 10 years. The extra students per professor in law faculties amount to roughly 20% more than the overall average⁴.

As we have mentioned, a substantial part (about 20%) of the teaching load at law faculties is carried by part-time lecturers. The same is true to varying degrees of many faculties, not only in the well-known example of medicine, but also in the arts and social sciences. But the nature of part-time law teaching needs to be explained further. Law schools employ part-time teachers for a number of reasons: in order to make up for the problem of a high student/teacher ratio within restricted budgets; because of difficulties they encounter in recruiting full-time personnel (5 faculties reported a great deal of difficulty, and 7 moderate difficulty in hiring or retaining faculty members); to enable the faculties to cover the full range of legal subject matter; and to expose students to persons familiar with daily legal practice. Although some of the teaching load is carried by part-time lecturers, the presence of a large part-time contingent of practising lawyers on the teaching staff does not advance the cause of scholarship within the law faculty. Unlike medicine, as a contrasting professional model, the practitioner-teachers in law are generally not research-oriented. They do not, therefore, incorporate a research perspective in the classroom, nor are they likely to be engaged in clinically based research or in collaborative study with full-time staff. The employment of part-time faculty in law schools is mainly a measure of expediency, related to the demands of professional formation, without substantial scholarly rationale or benefit.

The contention concerning teaching loads in law, however, does not hinge solely or even principally on the question of the relationship in absolute numbers of students to teachers, whether counting or discounting part-time teachers. It concerns more

⁴ See M. Von Zur-Muehlen Tables 21,25,30,32.

fundamentally the nature of law teaching, and its relationship to manpower. Teaching demand is not only a function of the numbers of students, but of the level of the students' existing education, of the level of education one is providing and of the purpose of that education. This is why, for example, it is not considered unreasonable that student/teacher ratios in medical schools should be so remarkably low (roughly five to eight students per professor). All graduate-level education, as another example of this well-known fact, requires much lower student/teacher ratios than undergraduate education, since it is more demanding of professors' time. (Thus, Statistics Canada gives full-time graduate students three times the weighting of full-time undergraduates in calculating full-time equivalent student teaching loads.) The question is, of course, how should one view law students: as graduates or undergraduates? The majority, at least in common law provinces, do hold a university degree. And law faculties argue that legal education should not be considered equivalent to an undergraduate level of education.

The argument is often made that in terms of the social responsibilities attached to a professional degree in law, and the education required at law schools to meet this responsibility, the first law degree should not be equated with bachelor's degrees. If, in fact, law schools are not at present able to provide an educational experience much more intense than that of the BA level, it may be due to their financial inability to supply such a program rather than to a lack of real need for a more advanced program. We asked deans at the 16 common law faculties if they felt that their LLB program was treated by the university as an undergraduate program: nine answered "a great deal", and five "moderately". We then asked if they thought this caused inequities, and six answered "a great deal", seven answered "moderately". The deans also responded that the primary issue in respect of their teaching complement was the issue of faculty/student ratios.

II. ANALYSIS OF THE SURVEY OF CANADIAN LAW FACULTIES (1981)

INTRODUCTION: LUMPING AND SPLITTING

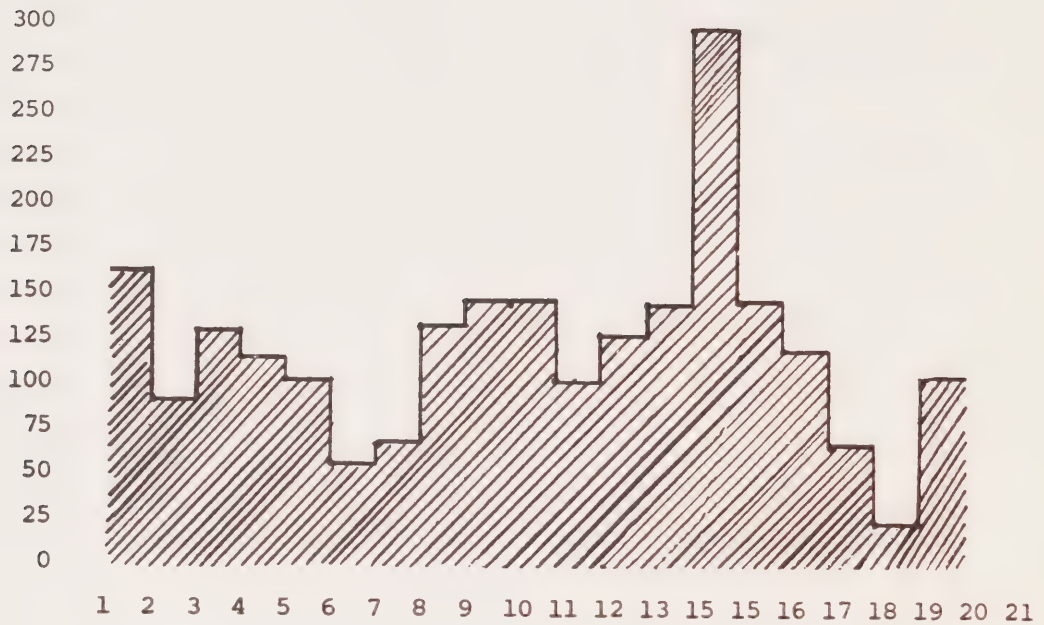
Whereas the preceding section was intended to provide a statistical overview of Canadian law faculties, the following discussion is concerned with the main issues, structures and developments which affect law faculties today. Our primary source of information is the questionnaire developed by the Consultative Group and completed by all the 21 (counting Ottawa University twice) professional faculties of law during the summer of 1981. In addition to certain supplemental statistical information, (Part A) it was divided into the following sections: Undergraduate Studies (B), Graduate Studies (C), Research (D), Library (E), Continuing Legal Education Public Legal Education - Bar Admission (F), Administrative Structure (G), Teaching Personnel (H), Influences on Legal Education and Research (I), Publications (J), and Contact with Other Official Canadian Language/Legal Systems (K). We owe a great debt of gratitude to the Canadian deans of law who willingly cooperated in this survey despite its heavy demand on their time.

A common introductory classroom method of categorizing philosophers divides them into "lumpers" and "splitters": the former concerned with the unity of reality, the latter with its differentiations - the "one" versus the "many". Although in what follows we sometimes split law faculties into common law and civil law groups (wherever results were noteworthy from this perspective), and occasionally into four regional groups, this is chiefly an exercise in "lumping". Thus, it is worthwhile at the outset to point out that what here is lumped could well be split, for law faculties in Canada are not uniform. To illustrate this fact we include four charts below marking out the various positions of the twenty one law faculties in terms of library size, faculty/student ratio, faculty/support staff ratio, and enrolment. One can see a great deal of diversity in each of these measurements despite certain normal ranges.

Figure 4: Canadian Law Faculties: Library Size - Volumes (excluding Microforms)

1981

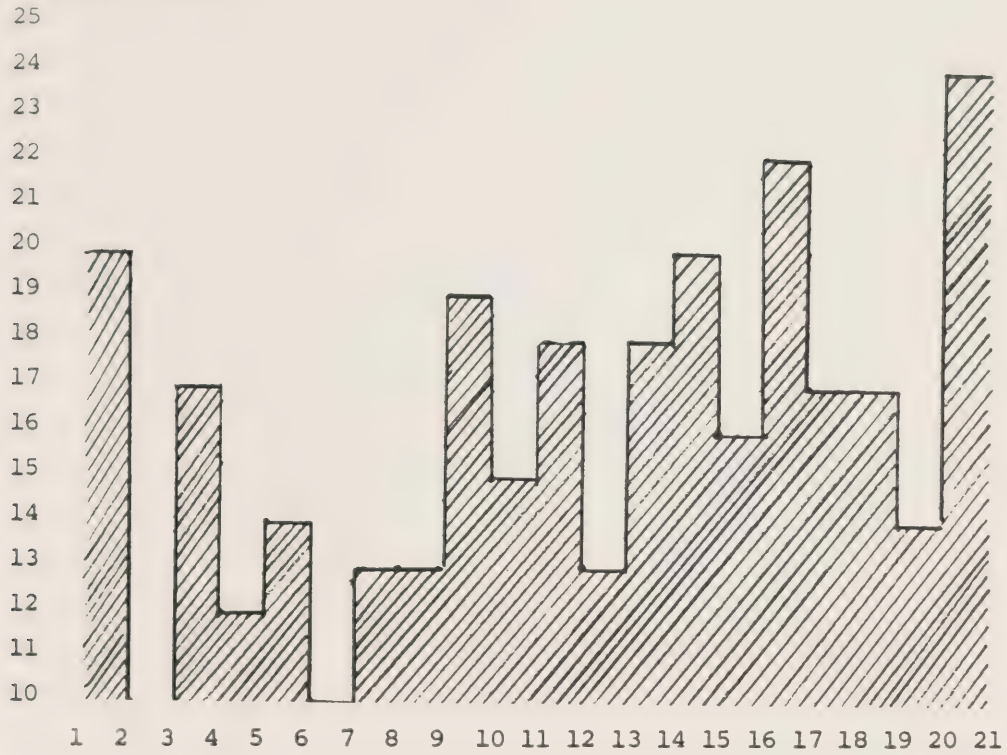
No. of volumes
(000s)



Source: Canadian Association of Law Libraries

Figure 5: Canadian Law Faculties: Student/Teacher Ratio 1980-81 based on Total Full-Time Faculty

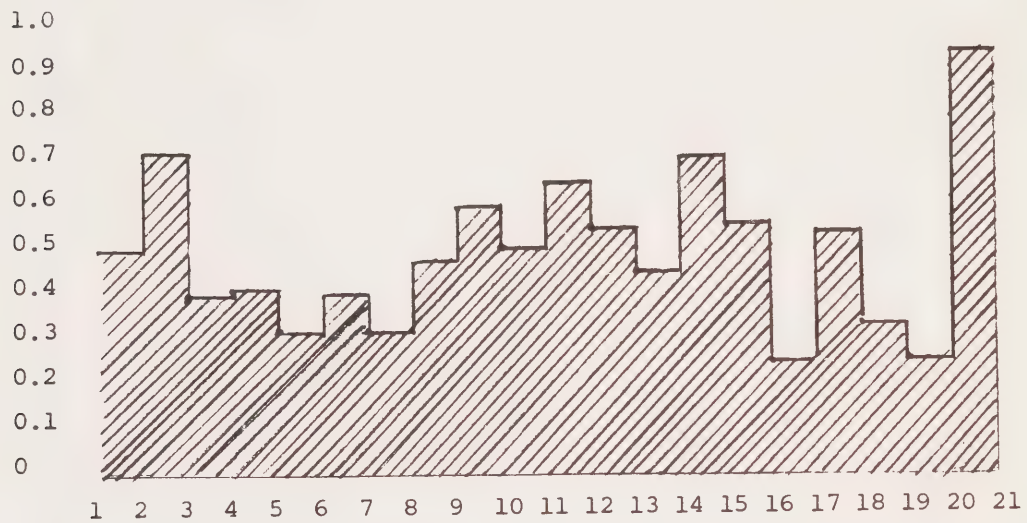
Students Per Teacher



Source: Canadian Law Deans' Statistics

Figure 6: Canadian Law Faculties: Faculty/Support-Staff Ratio - 1980-81
based on Total Full-Time Faculty

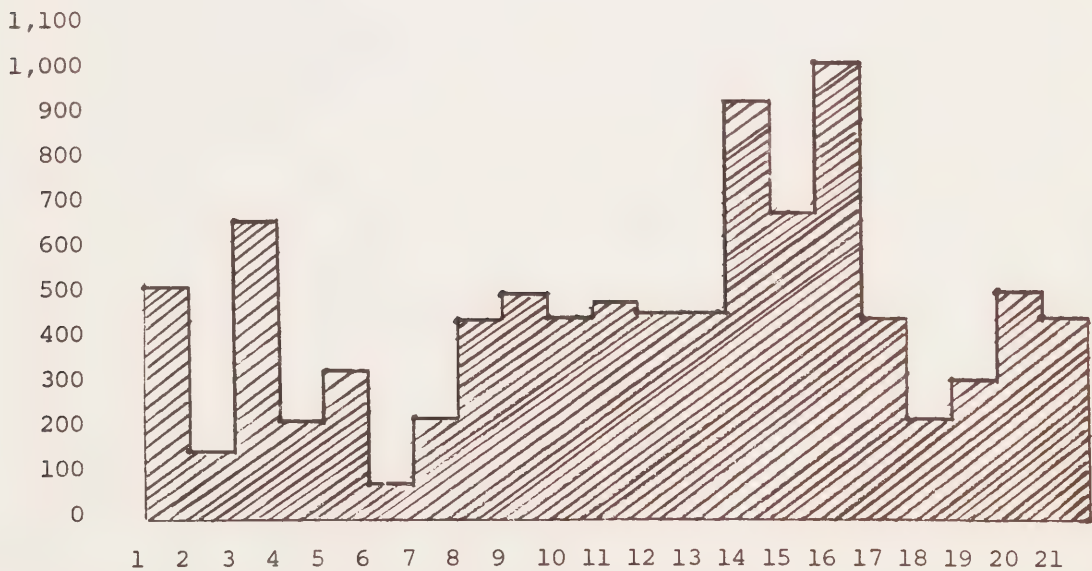
Support Staff per
Faculty Member



Source: Canadian Law Deans' Statistics

Figure 7: Canadian Law Faculties: Full-Time Undergraduate Enrolment -
1980-81

Students



Source: Canadian Law Deans' Statistics

A. STATISTICAL OVERVIEW: ADDITIONAL DATA

Citizenship

Most of the basic statistical data on the law faculties has already been mentioned, nevertheless a few important demographic aspects of the student population were obtained in our supplementary statistics. We were interested in the citizenship of the graduate students in law in Canada, and were rather surprised to find that as many as 67% of full-time master's students were Canadian citizens, and 68% of full-time doctoral students. The civil law faculties account for 151 of the 225 master's students, and among this 151, 68% were Canadians (almost all the non-Canadians were enrolled at McGill). In the common law faculties, then, there were only 74 full-time master's students, of whom 65% were Canadians. Across all disciplines in Canada, 74% of full-time graduate students are Canadians.⁵ While the proportions of Canadian law graduate students are not far from normal, the opinion of many deans and professors expressed at our regional consultations was that the best Canadian students continue to go abroad for graduate studies. The high proportion of females among Canadian full-time graduate students (47.3%) augurs well for an increase in female faculty members in law faculties in the future. It may also indicate that male students are more professionally, less academically oriented. Enrolment in part-time graduate studies, which are often directly professionally oriented, is 72% male. We also asked the deans to provide retrospective statistics on citizenship of their graduate students, going back to 1976-77. The results showed a substantial change. Considering full-time graduate students, the proportion of Canadians enrolled increased steadily from 55% in 1976 to 67% in 1980-81. No doubt this is in part due to steep fee increases at foreign universities (particularly in the U.K.). Nonetheless, it provides a real stimulus for the development of long-neglected Canadian graduate education in law.

Native Canadian Enrolment

Besides citizenship, our supplementary statistics also included the number of Native (indigenous) Canadians enrolled at law faculties. There were 41 in all, 38 of whom were enrolled in common

⁵Statistics Canada, Cat. 81-204, 1979.

law faculties, 27 in faculties west of Ontario. As a percentage of total full-time undergraduate enrolment, Native Canadian enrolment is 0.5%. According to the 1971 census (still the most recent available data) the number of Indians, Métis and Inuit residing in Canada was 1.5% of the total Canadian population. It is impossible to mention native Canadian participation in legal education without acknowledging the outstanding work of the Native Law Centre at the University of Saskatchewan. Originally (1973) a part of the College of Law, the Centre was established as an independent component of the University in 1975, and was operated for the next five years with a grant of \$400,000 provided by the Donner Canadian Foundation. In 1980 the University of Saskatchewan itself took over funding of the Centre. In addition to supporting research and publications, the Centre's Program of Legal Studies for Native People is designed, through an eight-week summer course, to orient students of native ancestry towards studies in a regular law program in any Canadian law school. In 1979-80 there were 35 native Canadians studying law in Canada, and 27 were graduates of this program. Over the three years prior to 1979-80 the success rate of the native students in regular law programs was 73%.

Registered-status native students taking the Program of Legal Studies for Native People receive financial assistance from the Department of Indian and Northern Affairs, and non-status or Métis students may receive similar assistance from the Federal Department of Justice, or the Governments of Saskatchewan and Manitoba. This assistance is continued throughout subsequent legal studies.

Admission

Fourteen law faculties have taken what we termed "affirmative action to draw into the student population representatives of relatively underrepresented or disadvantaged or other special groups". In all cases this action involved special admissions criteria. Five faculties also engaged in special advertising for this purpose, and there were three faculties taking each of the following other types of action: pre-admissions programs, special tuition assistance, financial assistance and part-time/evening programs. Only four faculties had conducted studies of the socio-economic and ethnic background of their student population. Finally, admissions quotas were in use by 11 faculties (see Appendix B, Questions 19-21).

B. UNDERGRADUATE STUDIES

We provided law schools with the same listing of 88 legal subject areas we had used in our survey of law professors to classify their research (and which was also used in Alice Janisch's Profile of Published Legal Research⁶); and we asked the deans to indicate if courses were offered in any of the areas listed and if they were compulsory or optional. (See Appendix B, Question 5).

The list of compulsory courses showed an expected degree of concentration due to the requirements established by the provincial bars. Six areas were compulsory at virtually every law school: constitutional law, contracts, criminal law, property, practice and procedure, torts. There were three other areas which were compulsory at roughly half the law faculties (10-12): administrative law, evidence, legal research. It is interesting to note, in the context of several discussions at our regional consultations advocating more of this, that only two faculties listed jurisprudence as a compulsory area, although 19 listed it as an optional area; and that Canadian legal history was compulsory at only 5 faculties and optional at 10 others. On the other hand, 11 faculties required students to take what we called, "a course offering a perspective on law, such as jurisprudence, legal history or some similar course". It may be, then, that at a number of faculties, students are required to take one of a range of such "reflective" courses.

The compulsory subjects and those frequently subjects of research show considerable correspondence but with some interesting exceptions. Among the six standard compulsory subjects, four were also among the top ten research areas, namely constitutional law, contracts, criminal law and torts. On the other hand, practice and procedure was 20th in the list of research areas, personal property was not among the top 20 at all, while real property (land law) was 11th among research areas. Administrative law and evidence, which were compulsory at about half of law faculties, were also among the top ten in the list of research areas.

6 Published by the Consultative Group on Research and Education in Law, 1982

The pattern in the list of optional courses reflected our findings in the classification of research by law professors (cf. Canadian Law Professors, Table Q-19B) in that it shows wide ranging but often sparse coverage of a large number of subject areas. Twenty-one areas were optional at 15 or more law faculties. As the following illustrations of optional-only courses show, there is no necessary connection between frequently offered courses and popular research areas: estate planning - optional at all 21 faculties but not among the top 20 research areas; environmental law - optional at 20 faculties but 18th in the list of research areas; criminology and penology - optional at 17 faculties but not among the top 20 research areas; comparative law - optional at 15 faculties but not among the top 20 research areas. On the other hand, however, there is a definite correlation between popular research areas and courses offered. All of the top 20 research areas except one are covered in courses either optional or compulsory at virtually all the faculties. The one exception is administration of justice, 16th in the list of research areas but covered in only 13 curricula (6 compulsory). Thus, while areas of research invariably correspond to areas of teaching, the reverse is not necessarily true. In certain subject areas the motivations for teaching do not apparently extend to research.

A large number of subject areas (58) are offered optionally or compulsorily by half or more of the law faculties. On the other hand there are 14 areas covered compulsorily or optionally by five or fewer faculties, and another 14 areas by between 6 and 10 faculties. In these areas there may be potential for regional or even national coordination - although only 8 law faculties felt curriculum specialization by subject area, nationally or regionally, would be desirable (Appendix B, Question 23). Even among the 10 faculties who reported having developed areas of concentration or specialization within their LLB curriculum (Appendix B, Question 7) only three felt national or regional coordination would be desirable. The development of specializations or concentrations within the LLB curriculum at a number of law faculties is itself noteworthy. Eight faculties listed subject area specialities, up to six in some cases, for a total of 17 such subject areas (Appendix C, Table 7A). Four faculties reported specializing in labour law, three in criminal law, and two in each of

eight other fields: taxation, constitutional law, administrative law, natural resources and energy law, corporate law, family law, business planning and law and economics.

"Clinical" courses are offered by 19 of the 21 faculties. As it is said that these courses are labour-intensive and hence costly, we asked if the faculties considered that they absorbed an appropriate amount of time and budget relative to their overall value. At twelve faculties the answer was yes, but seven replied negatively (Appendix B, Question 9). In all, some 56 law professors are employed teaching clinical courses (10% of the total effective full-time professoriate). Of these 56, 20 devote their full time to clinical courses, 12 devote two-thirds of their time, 9 half-time, and 15 one-third time. In full-time equivalent terms, this adds up to 37.5 person-years; on the basis of a total effective faculty of about 560, this amounts to about 7% of full-time university professors.

Apart from clinical courses, 11 law faculties also include internships or practicums in their curriculum; and nine give these programs formal credit.

At this point our questionnaire shifted its attention explicitly to the orientation of the undergraduate curriculum towards research. We asked the deans if, apart from a first year "legal methods" or similar course, they offered any courses or seminars designed explicitly to develop academic research skills in law and/or other disciplines. While 16 answered affirmatively, the responses varied widely in content (cf. Appendix C, Table 12A), from full-scale courses to occasional colloquiums to which students were invited. Ten deans said that students were required to write one significant research paper prior to graduation, and four others said more than one such paper was required, leaving seven faculties at which no research paper was demanded. Where not required, however, over 50% of students at three faculties did undertake such a piece of work. All of the faculties permit students to undertake independent, supervised research work for credit, but students seldom avail themselves of the opportunity. At only one faculty did more than 20% of students undertake such research, and at 14 faculties the proportion was 10% or less.

As mentioned, 11 faculties required students to take what we called, "a course offering a perspective on law, such as jurisprudence, legal history or some similar course". Even when such courses were not required, they did attract a significant number of students - from 25 to 50% at 5 of 8 faculties (Appendix B, Question 15a).

We defined "interdisciplinary" courses as "courses in a discipline other than law or which have as their central purpose the study of the law or an area of law through the use of the concepts or methods of another discipline". The opportunity to take such courses was provided within the law faculty by 13 responding institutions, and provided in some other faculty by 19 of the law faculties. But if the potential for interdisciplinary study is thus universal, the actual enrolment is far less impressive (cf. Appendix C, Table 16A). We asked how many students were following interdisciplinary courses in which disciplines. The numbers are small and usually depend upon enrolments at one or two faculties. Economics was by far the leading discipline, with law students studying economics at 11 faculties. Total enrolment in these courses was 145 (40 at one faculty) or 1.5% of total undergraduate enrolment. By size of enrolment, the next most popular interdisciplinary course was medical law, taken in three faculties by 126 students (99 at one faculty) - this is 1.3% of total enrolment. Interdisciplinary courses in philosophy were being followed at seven faculties by 103 students - 1.1% of the total. Courses in sociology, history, social work and business administration each included about 1% (96 to 81 students) of the undergraduate enrolment - largely accounted for by one faculty in each case. Political science and criminology were being studied by 37 and 33 students respectively (0.4% of the total) at three faculties. Joint degree programs were offered by 10 faculties: eight were LLB-MBA programs, two LLB-BComm programs. One faculty offered an LLB-MA (with two students enrolled in it), and the LLB was combined with the BA and the BAdmin at two separate faculties. At McGill, Moncton and Ottawa it is possible through various arrangements to obtain a combined common and civil law first degree.

If we pause for a moment at this point, a synopsis of the results of Questions 12 to 15 aimed at academic-oriented elements of the undergraduate legal curriculum generally reveals a pattern of sporadic

attention, and marginal participation, but little concerted effort, and extremely little interdisciplinary integration.

We asked the deans to estimate for us the proportions of their entering students with various qualifications (Appendix B, Question 18 and Appendix C, Table 18) as well as the occupations their graduating students intended to enter (Appendix A, Question 22, and Appendix C, Table 22. The first question was addressed only to the 16 common law faculties owing to the difficulty of comparing of the two systems in regard to entrance requirements.

Twelve of 16 common law faculties reported over 50% of students entering with a bachelor's degree, generally without full-time work experience. Nevertheless, considerable numbers of graduates with work experience are admitted ranging from 10% to 70% across 10 faculties. The number of students admitted with only two years of postsecondary education amounts to less than 21% at all but four faculties. Law students with work experience are actually more likely to have a degree than those without work experience. While the numbers of law students with graduate work in other disciplines is not great in absolute terms, it is still appreciable. Five faculties reported that of students without work experience 10 or 11% had taken graduate studies, and four faculties said that five to 11% of their students with work experience had taken graduate studies. These are significant proportions when one is assessing the potential for interdisciplinary studies within law faculties.

The fact that there are substantial differences between law faculties in Canada has already become apparent, but no more so perhaps than in the question of the expected occupations of students. Two faculties (both in Quebec) estimated that only 40 to 50% of their graduates intended to enter private practice, 10 other faculties estimated that 70 to 80% were bound for private practice, four that 80 to 90% would go into practice, and 5 faculties felt that 90% or more were intending to go into practice. Four law faculties estimated 5 to 10% of their students would enter academic careers. Government service and business were thought by a good number of faculties - 6 in each case - to be potential employers of as many as 10% of their students. In summary, then, 19 faculties estimate that 70% or more of their

students will enter law practice, while, from the other perspective, 16 faculties estimate that from 10 to 60% of their students will find different careers.

With a view to the growing range of potential occupations for law graduates, we asked the deans whether they thought the law school curriculum should be largely compulsory (four said yes) or largely optional (10 said yes) or structured into alternate streams between which students may choose, but with the content of each stream being largely fixed (six said yes to this, as yet untried, format).

We asked the deans to rank their curriculum objectives in order of importance based on a list of eight objectives and using a four-point scale: "most important", "some importance", "very little importance", and "no importance" (Appendix B, Question 6). Our first objective was to "train students for the practice of law"; 14 deans rated this as "most important", the other seven accorded it "some importance". The objective to "train students for occupations outside legal practice" was listed by 12 deans as of "some importance" and by two other as "most important", which indicates the considerable extent to which law faculties are aware of the growing diversity of careers open to those with a legal education. But possibly most remarkable in the answers to this question was the fact that another objective obtained an exactly equal rating as the training of students for the practice of law: this was the objective to "provide students with an understanding of the relationship of law and society". Again fourteen deans ranked this "most important" and seven "some importance". This commitment to transmit knowledge of the law within the social context can be found as well in our survey of law professors in which 46% said this objective was served "a great deal" in their teaching, and 39% said it was "moderately" served in their teaching (cf. Canadian Law Professors, Table Q-74). The extent to which this objective is as yet actually incorporated into the style and content of legal education is debatable, for example, it contrasts with the fact that almost all faculties believe at least 70% of their graduates are bound for law practice. But it seems that the future of Canadian legal education will be shaped in part by this awareness of the need to integrate the study of law with the study of society.

The next most significant curriculum objective as ranked by the deans was "to develop interest in law as a scholarly discipline" which was graded "most important" by eight and "some importance" by thirteen. It seems, however, that in the view of law professors this objective is not being achieved with a great deal of success. When asked if they felt their curriculum stimulated student interest in legal scholarship and research, only 13% answered, "a great deal", while almost 30% said "very little" or "not at all", and 57% answered, "moderately" (Canadian Law Professors, Table Q-46).

The diversity of law schools became apparent again in responses to this question on curriculum objectives. While eight deans considered as "most important" the objective "to develop interest in the theory and philosophy of law", there were five who viewed this as of "very little importance" - three of these also saw very little importance in the objective to train students for occupations outside of legal practice. Some law schools ranked "most important" (6) or "some importance" (11) for the objectives "to develop interest in law reform" and "to develop interest in social reform"; yet in both cases three deans felt these objectives were of "very little importance". Developing "critical reflection on legal practice" was marked as "most important" by eight deans, as "some importance" by 11, yet as "very little importance" by two.

We also asked the deans to rank the three most important of their curriculum objectives (Appendix C, Table 6A). Eleven gave first importance to training students for the practice of law, but four gave precedence to providing students with an understanding of the relationship of law and society, and, even more surprising, two gave first place to developing interest in law as a scholarly discipline and two others to developing critical reflection on legal practice. When it came to second priority, six faculties listed the relationship of law and society; four, training for practice; and three each, training for other occupations, and developing interest in law as a scholarly discipline. If we put together the results for first and second priority, then, we obtain these results:

- train students for practice of law - 15
- provide students with an understanding
of the relationship of law and society - 10
- develop interest in law as a scholarly discipline - 5

Perhaps this is a fair, rough measure of the objectives of Canadian law faculties today. Whether or not it is a measure of what actually goes on in legal education today is a separate question.

Our last question in the section on undergraduate studies asked the deans to indicate what were the priority issues (among seven listed) which they found in undergraduate legal education (Appendix B, Question 25) using a four-point scale: high, moderate, low and no priority. The main issues were in this order: first, "quality of teaching" - 11 high priority, 6 moderate; second, "structure of curriculum" - 9 high priority, 7 moderate; third, "level of student interest in intellectual questions in law" - 8 high priority, 7 moderate; and fourth, "quality/numbers of applicants for admission" - 6 high priority, 9 moderate. Student concerns about job opportunities and student financial support were lowest in priority, though not neglected, as ranked by the deans.

It is interesting that the level of student interest in intellectual questions in law is seen by eight faculties as a high priority, while student demand for clinical education or exposure to practice is regarded as a high priority by only three faculties. This may show a developing awareness of the relevance of intellectual analysis to law on the part of students and faculty. In any case, the argument for such relevance was made several times at regional consultations.

C. GRADUATE STUDIES

At present, 13 Canadian law faculties have graduate programs; rather a large number considering the fact that there are only about 260 full-time master's or doctoral students in law in Canada, and especially since 172 of these are at three civil law faculties (Montreal, McGill and Laval). In other words, 88 full-time master's or doctoral students are distributed (unevenly) among ten law faculties. Remarkably, six faculties plan to establish graduate programs within the next three years (1982-1985). As we mention later, the deans see the need and the desirability of coordinating the development of graduate education. This is certainly called for, not only due to the large number of very small programs, but also to the frequently overlapping specialization that seems to be taking place.

Of the present 13 programs, seven accounted themselves as "general" programs, and eight listed areas of specialization (Appendix C, Table 28). Among the areas listed were: criminal law (by three faculties), business or commercial law (by two faculties), taxation (by two faculties), and international law (by three faculties). Other areas listed were: natural resources and energy, comparative law, air and space law, legislative drafting, human rights, and medical law. Those faculties planning on establishing graduate programs listed many of these same areas for specialization: labour law, environmental and natural resources, public law, commercial law, medical law - but also legal history and legal education (Appendix C, Table 26C). Overall, considering the number of students involved in most of these cases, the frequency of overlap in areas of specialization seems questionable.

We were interested in the possible differences in orientation of full-time and part-time graduate programs. Considering full-time programs, 12 of 13 deans said one purpose was to promote academic study and research, and eight said another purpose was to facilitate professional specialization. As for part-time programs, however, only seven of the 11 deans with part-time programs said that a purpose of the program was to promote academic study, while eight said the program was meant to facilitate professional specialization.

The supply of funds for graduate students in law was often cited at our regional consultations as a major problem. We asked the deans to inform us of the numbers of graduate students receiving outside funding, the amounts received and the sources. Only 111 students were apparently being supported by outside (non-faculty) sources in 1981, i.e. about 35% of the total number of full-time students. Half of the funded students were supported by the university (Appendix C, Table 32). The average amount granted to students by the various funding sources ranged from \$4,700 to \$8,000 with the lowest amounts (\$2,500 to \$6,200) coming from the universities, and the highest amounts (\$6,000 to \$9,500) from the federal government. It seems that students are not able to increase this amount by combining sources (Appendix B, Question 34). The total of funds provided from outside sources for graduate scholarships in law in 1981 was \$548,000, which amounts to an average of \$1,700 per graduate student. Considering

that graduate students in law have frequently completed two degrees and possess readily marketable credentials, both the total amount of funds available and the amounts paid per student are small indeed. In short, then, in terms both of numbers and amounts there is an important need for improved funding for law graduate students.

Graduate legal education itself has long been criticized for not differing significantly from undergraduate courses. In fact, five faculties with graduate programs do not offer any courses or seminars restricted to graduate students. And when asked to list their graduate-students-only courses, only four faculties did so, listing the following: 1) air and space law - entire curriculum; 2) legislative drafting; 3) legal research, policy and reform; 4) native rights. Both from this survey (Appendix B, Question 36) and from the survey of Canadian law professors, we learned that only about one quarter of all law professors are involved in supervising graduate students - although the figure is nearly 60% in civil law faculties. In only three faculties are professors who supervise graduate students given any relief from other duties (Appendix B, Question 37), either by reducing their administrative responsibilities or by reducing their teaching (in one case).

Our final question to the deans in this section of the questionnaire was to gain their opinion on what are today the priority issues in graduate legal education (Appendix B, Question 38). Heading the list by a wide margin was the issue of financial support for students. Nine deans ranked this issue as a high priority and four as a moderate priority. Next in emphasis was the need for specialized programs, ranked as a high priority by five deans and as a moderate priority by eight. Following this were three issues which collectively received about equal weight - attracting good Canadian students to study in Canada rather than abroad, interdisciplinary linkages, and the need for graduate level courses. The issue we called the "linkage of graduate education to professional specialization" obtained a divided response: four deans considered it a high priority, and five a moderate priority, but four ranked it as a low priority. Having perceived the need for advanced research training in law through our survey of law professors and our regional consultations, it was surprising to find that only one dean assigned high priority to instruction in research

methodology - although 10 did see this as a moderate priority. The development of specifically Canadian programs in graduate legal education was ranked as a high priority by three deans and as a moderate priority by eight. Only one of the deans considered the issue of job prospects for post-graduate degrees in law as a high priority, and five considered it a low priority.

D. RESEARCH

Only four law faculties have an explicit research policy (Appendix B, Question 39), and the principal organizing factor in legal research seems to be not faculty policies but the existence within the faculties of legal research centres (3), programs (5), or institutes (6), 14 of which institutions were brought to our attention. In addition to these, 13 law deans reported the existence of other interdisciplinary centres, programs or institutes within their universities which played a significant role in encouraging research in the law faculty. In 12 of these interdisciplinary centres, at nine universities, the law faculties were said to play a major role; while in 14 others (again at nine universities) the role of the law faculty was minor (for lists by name see Appendix B, Table 41). Given the many demands on legal research and the distracted occupational setting of many law professors, as discussed in Canadian Law Professors, it is not surprising that academic research in law seems to be most favoured by the existence of the "protected environment" of a research centre.

Detailed information was provided to us on 12 of the 13 reported legal research institutes located at eight law faculties. They were the following:

- | | |
|-------------|--|
| 1. Manitoba | Legal Research Institute |
| 2. Queen's | International Economic and Social
Law program |
| 3. McGill | Institute of Comparative Law |
| 4. McGill | Centre of Private and Comparative Law |
| 5. McGill | Institute of Air and Space Law |
| 6. McGill | Centre for Research in Air and
Space Law |

7. Calgary	Canadian Institute of Resources Law
8. Ottawa (Common Law)	Human Rights Institute
9. Western Ontario	Canada - United States Law Institute
10. Montreal	Centre de Recherche en Droit Public
11. Windsor	Prepaid Legal Services Program of Canada
12. Windsor	Community Law Program

Certain other centres were not reported to us but amongst those known to exist are the following.

1) The University of Saskatchewan's Native Law Centre, though no longer a part of the law faculty per se, supports research and publication on law and the native communities in addition to its Program of Legal Studies for Native People. In addition to individual works, the centre publishes quarterly the Canadian Native Law Reporter which reports current cases of interest to native Canadians.

2) The Dalhousie University School of Law is home of the Marine and Environmental Law Program, which is now integrated with the university-wide Dalhousie Ocean Studies Program. The Law Program involves staff recruitment, research, graduate and undergraduate teaching and library development. It has mainly been funded by large-scale grants from the SSHRC (\$277,000. in 1980-81), and by funding as well from the relatively recent (1979) Dalhousie Ocean Studies Program (\$150,000 from 1979-1984). Both of these sources provide funds for released time for researchers - a need universally expressed by law professors across the country.

3) Finally, there is the Law and Economics Program at the University of Toronto Faculty of Law. This program, too, has received substantial university funding as well as external funding, in particular from the Donner Canadian Foundation. As with other such programs it involves such activities as research, graduate and undergraduate teaching, visiting professors, etc.

As we have said, there are institutes and centres outside of law faculties which make an important contribution to legal research, particularly to the type sometimes called research "on" law as opposed to research "in" law, i.e. research which addresses law as a social,

historical, political, philosophical (etc.) phenomenon. We might illustrate such centres by mentioning a few examples. To begin with there are departments or centres of criminology at six Canadian universities: Montreal, Toronto, Ottawa, Regina, Alberta and Simon Fraser. There are also the twenty-six interdisciplinary institutes, centres or programs reported in our survey as involving legal research in the law faculties, including, for example, the Institute for Intergovernmental Affairs at Queen's University, the Institute for International Relations at the University of British Columbia, and the Canadian Institute for the Administration of Justice at University of Alberta. Law and liberal arts are combined, for example, in the Legal Studies Program at Waterloo University (see Appendix C, Table 7DA) or at the Westminster Institute of Ethics at the University of Western Ontario. On the more applied side, legal research is carried on at the Prairie Justice Research Consortium at the University of Regina. The Consortium points out that it has been involved in research "in areas such as corrections, the police, legal services, the courts, and natives and justice. In most cases research has been of an applied nature, involved policy analysis, and has involved the relevant government agencies in... the definition of the research problem, the design and the implementation of the projects. Generally government agencies have provided either grants or contract funding for this research".

Having mentioned these centres or programs which were not reported in detail in our survey we now return to a summary of the 12 that were reported. Eight of these were established (as were the three others within the law faculties which we mentioned above) after 1970; three were established between 1960 and 1970, and only one existed prior to 1960. In 1980-81 the 12 had received a total of over \$2.3 million. Of course, there are great differences among them in size of budget and in organization of functions. Taking them together with the other three law faculty-based programs mentioned above, we can estimate that approximately \$3 million is available for legal research, publication and research-related education through academic institutes, centres and programs located within the law faculties. These funds come mainly from provincial governments (23%), universities (14%) and law foundations (27%), and to a lesser extent from other foundations (7%) and from the law faculties (6%). A large

proportion of funds (22%) comes from a wide variety of other sources, ranging from legal publishers and private corporations to federal departments and even a United Nations agency. Within the budgets of law faculties themselves in 1980-81 there was only \$746,000 in standing funds available for research support. Individual research grants received from the SSHRC that year amounted to only \$91,000. This gives some idea of the relative importance of the nearly \$3 million available within faculty-based institutes and centres, the appearance of which must be considered, therefore, as one of the outstanding developments in legal research in the past decade.

It should be pointed out, however, that in most cases the purposes of these institutes, centres and programs is in part educational, and sometimes in part service-oriented, and that funds are not devoted exclusively to research.

Apart from research institutes etc., 17 faculties reported that they had a standing fund available to support research by individual faculty members, the total value of which, as mentioned, was \$746,000 in 1980-81. These funds came mainly (52%) from foundations (generally law foundations), or directly from regular faculty budgets (39%). On average in 1980-81 each of these 17 faculties had about \$44,000 in standing research funds. In fact, the sums available that year ranged from a high of \$168,000, to a minimum of \$16,400. The availability of such funds has increased somewhat over the past four years as the numbers of faculties with such a fund has increased from 14 to 17. In constant (C.P.I.) dollars, however, the total amount of funds has remained virtually stable.

Standing research funds are used for research assistants by all the faculties, and by most faculties for travel and subsistence costs (13 faculties) and for secretarial costs (11 faculties). Only three faculties use the funds to supplement summer incomes for research work, and only seven use them to provide released time. Funds are also used for computer time (9 faculties), and as "seed" money for the development of larger research projects (6 faculties), or for other research expenses. In 12 faculties 50% or more of these funds are used to provide for the preparation of teaching materials, while in only 3 faculties is 50% of the research fund used to provide for the preparation of books or articles. Small proportions of funds at eight

faculties are used to provide for the preparation of Continuing Legal Education or Public Legal Education materials (Appendix B, Questions 44-45).

Despite the existence of some 12 or more research institutes, it is still rare to find law professors freed of even part of their teaching load for research (Appendix B, Question 46). A total of 23 professors at 11 faculties were provided with some relief for research. In 14 cases the time freed for research was 25% or less of the regular teaching load. In only two cases was the factor over 50%. In terms of full-time man years the number of professors freed for research was only 7.9. In most cases (14) the faculty itself provided funding for the released time, but in five cases funds came from foundations, in three cases from the university, and in one case from a government source.

With these above figures in mind, it is not surprising to find that the law deans assign the highest priority in legal research today to the need for released time (Appendix B, Question 47) and, equally, to the demands of teaching. Evidently the deans feel they are in an awkward position regarding conflicting demands of research time and teaching loads. The former point was ranked "high priority" by 13 deans and "moderate priority" by five, while the latter was ranked "high" by 12 and "moderate priority" by five. The only other issue on which there was a similar degree of unanimity among the deans as to its priority in the area of research was "funding", considered a high priority by 11 deans and a moderate priority by seven.

One may want to question the accuracy of the deans' perceptions regarding research funding, having seen the considerable amount of research funds available in the various research institutes. But the explanation may be, as was occasionally argued at regional consultations, that centres and institutes often involve only a small and rather atypical group of faculty members, leaving a large majority unprovided for. These other law professors are encouraged by market and career forces to spend time in a variety of law-related pursuits, among them specified research on contract. They often do not have ready access to research funds to undertake self-initiated research in the areas of interest to them, or to develop research methods and capabilities in which they may not yet be well trained.

At a level distinctly below the three issues already mentioned - released time, teaching demands and funding - four other issues in descending order occupy a sort of middle range in the law deans' assignment of priority. The first of these is the need for interdisciplinary cooperation, assigned high priority by eight deans and moderate priority by eight others. Following this, the influence of "other" funding agencies, i.e. other than law reform commissions, is cited as a high priority by six deans and moderate by eight. The influence of law reform commissions is, in fact, assigned high priority by only one dean but moderate priority by 14. Thus, although many deans are somewhat concerned about the influence of the law reform commissions, they are even more concerned about the policies, which they see as increasingly "dirigiste", of other funding agencies.

Also present in the middle range of priority issues regarding research was the lack of interest in research by the legal profession, to which five deans assigned high priority and seven moderate priority. A lack of interest in legal research by other audiences was less of a concern to the deans and was assigned high priority by three and moderate priority by five. Five deans also assigned high priority to the need to pay supplements to offset paid professional work, and another eight gave this issue moderate priority. This attitude is consistent with our comments above on the lack of curiosity-oriented research funding at the ready disposition of law professors, for such supplements would be intended to counterbalance the availability of attractive professional, paid opportunities in research and other professional work.

Just as we found law deans largely unconcerned about instruction in research methodology in graduate legal education, so here we find that they do not assign high priority to any lack of research ability of faculty members - which was accorded high priority by only one dean, and moderate priority by only five others. Lack of interest by faculty members in research is a rather more widespread concern; cited as a high priority by only one dean but as a moderate priority by 10 others.

E. LIBRARIES

It has become a cliché, particularly for law but also for other non-scientific disciplines, that the library is the equivalent of the laboratory. The point of this analogy was made abundantly clear in our survey of law professors, wherein we found that library-based research far outstripped any other research method or technique used by law professors (cf. Canadian Law Professors, Table Q-14). The law library, moreover, is the principal library in which this library-based research is carried out - nearly 60% of law professors conduct over 50% of their research in their law library (Canadian Law Professors, Table Q-16).

The quality of law libraries was lamented in the 1954 Report of the Committee on Legal Research, a committee of the Canadian Bar Association under the chairmanship of F.R. Scott. Having commented on the poor condition of non-university law libraries, the committee made the following assessment of law faculty libraries:

Only four, or a bare 30 per cent of the 13 Canadian schools report libraries of over 20,000 volumes; of 127 American law schools reporting in 1954, 107 or 84 per cent were above this figure. Periodical literature, on which so much research depends today, is very scanty in most Canadian schools. Canadian students have not available to them the wealth of case-books and other teaching aids which supplement the material contained in American libraries...While the major Canadian schools may perhaps be said to have "good working libraries" from the point of view of student training, these same libraries become increasingly deficient in proportion as advanced research is undertaken by staff members (C.B.R. vol. XXXIV, p. 1024).

The holdings of Canadian law faculty libraries have definitely improved since 1954. Nonetheless there is still a long way to go if Canadian law libraries are measured by international criteria. In 1970 at least seven American law schools had collections in excess of 200,000 volumes, and Yale, Columbia and Harvard had collections over half a million volumes (Harvard had well over 1 million). The largest collection in Canada in 1970 - Osgoode Hall Law School - was 120,000 volumes, and no other law faculty library had at that time over 80,000 volumes. In 1969 the Association of American Law Schools required that all member schools provide a minimum library collection of 60,000

volumes by January 1975. By that time all but two Canadian law schools would have met this minimum requirement, although in 1970 nine law schools would have been below the 60,000 volume level. In 1980, according to the Statistical Survey of American Law School Libraries, 52 of the total of 168 law school libraries had collections of over 200,000 volumes. There is only one collection of that size in Canada.

The 1970's were clearly a period of substantial growth in Canadian law faculty libraries, as can be seen in Table I: "Growth In Collections Size By Region". Growth since 1948 is demonstrated in Table II below. "Growth of Law School Library Collections in Canada: Volumes" taken from the report Law Libraries in Canada by Viola A. Bird, published by the National Library of Canada (1975). During the 1970s the average size of collections nearly doubled in Ontario and the other provinces. In Quebec however, collections increased by only about two-thirds. The situation of Quebec libraries is in fact critical. As apparent in Table III, "Book Budgets by Region", Quebec's law faculty libraries, over the entire period 1970-1980, were able to muster 30 to 40% less in funds for their book budgets than their counterparts in Ontario or the other regions of the country. It is illuminating, for example, to consider the size of the start-up budget provided to the law faculty library at the University of Quebec at Montreal, about \$134,000 in 1975, in contrast to similar funds to Victoria - \$458,000 in 1976, \$364,000 in 1975; to Moncton - \$561,000 in 1978, \$324,000 in 1979; or to Calgary - \$266,000 in 1976, \$382,000 in 1977; or most dramatically, to York - \$2 million in 1966-68.

The worsening and already grave situation of law libraries in Quebec is also apparent in the earlier mentioned fact that over 80% of law library budgets in civil law faculties is devoted to salaries in contrast to about 55% at the common law faculties. At the Quebec Regional Consultation, the Consultative Group was informed that the situation is definitely in the crisis stage, as not only have monograph purchases been reduced to none or almost none at some faculties, but certain faculties are being forced to discontinue important periodical series. Such decisions almost spoil altogether the value of existing series holdings. Lost ground in library holdings is very difficult to make up. Books and periodicals are

TABLE I

CANADIAN LAW FACULTY LIBRARIES - GROWTH IN COLLECTIONS SIZE BY REGIONAVERAGE TOTAL BOUND VOLUMES¹ - 1970-80

	WEST	ONTARIO	QUEBEC	EAST
1980	104,778	142,803	83,992 ²	83,794
1979	99,479	138,223	82,647 ²	79,370
1978 data missing for Alberta, Dalhousie, McGill, Montreal, Saskatchewan				
1977	87,604 ³	126,285	75,431 ²	84,819 ⁴
1976	83,263	122,403	71,972 ²	73,944
1975 data missing for Alberta, Manitoba, New Brunswick, Montreal, Victoria				
1974 data missing for Alberta, Victoria, New Brunswick, York, Laval				
1973	71,187 ⁵	93,261	67,968 ⁶	58,494
1972	65,780	86,101	63,291	54,285
1971	60,819	79,502	59,040	N/A
1970	57,533	74,676	54,376	44,236

Source - Canadian Association of Law Libraries

1. Microforms have been excluded as data were too often missing in the series.
2. McGill not available.
3. Alberta not available - estimate included at 115,720 based on figure for 1976-77 plus 9,000 volumes - roughly the annual increase of that year.
4. Moncton not in existence.
5. Victoria, Clagary not in existence.
6. McGill included, UQAM not included.

TABLE II

GROWTH OF LAW SCHOOL LIBRARY COLLECTIONS IN CANADA: VOLUMES

Law School Libraries	Cohen 1948/49*	AALL Directory 1954	Survey 1974
British Columbia (1945)	11,228	26,500	81,500
Alberta (1921)	7,000	12,000	90,000
Saskatchewan (1912)	7,800	-	77,500
Manitoba Law School (1914) became Faculty of Law (1966)	8,494	-	70,000
Ottawa (1953)	-	-	80,000
Queen's (1958)	-	-	113,000
Toronto (1949)	27,000	25,000	77,000
Osgoode Hall (1889-1967) ** became York in 1967	8,015	8,975	-
Western Ontario (1959)	-	-	88,243
Windsor (1968)	-	-	78,000
York (1967)	-	-	150,000
Laval (1858)	7,000	-	71,000
McGill (1880)	25,000	26,000	85,000
Montreal (1942)	9,000	-	97,000
Sherbrooke (1961)	-	-	43,000
New Brunswick (1892)	1,000	8,000	40,000+
Dalhousie (1883)	16,000	20,000	90,028

N.B. There are no law schools in Prince Edward Island or Newfoundland.

* Maxwell Cohen, "The condition of legal education in Canada", 28
Canadian Bar Review, 302.

** Figures given are for bar examination library.

Source: Law Library Resources in Canada, Viola A. Bird; National Library
of Canada, 1975.

TABLE III

CANADIAN LAW FACULTY LIBRARIES - BOOK BUDGETS BY REGION
1970-1980AVERAGE TOTAL BOOK BUDGETS
(funds for acquisition and binding serials and monographs)

	WEST	1971\$	ONTARIO	1971\$	QUEBEC	1971\$	EAST	1971\$
1980	\$220,450 ¹	103,611	\$210,534	98,950	\$142,083 ²	66,779	\$196,955	92,568
1979	187,758	97,634	185,891 ⁴		105,874 ²		208,954 ³	
1978	185,943 ⁵		161,833		91,398 ²		327,000 ⁶	
1977	240,760 ⁷	149,271	123,704	76,696	73,977 ²	34,769	98,849	61,286
1976	191,096 ⁸		122,923		82,329 ²		119,546	
1975	157,713 ⁹		111,293		91,707 ¹⁰		107,265	
1974	77,495 ¹¹		99,475 ¹²		63,550		97,000	
1973	87,844		129,280		55,453		85,000	
1972	82,917		110,235		45,737		63,759	
1971	90,640		105,300		49,431		N/A	
1970	81,220		103,389		56,870 ¹³		107,559	

1. Saskatchewan, U.B.C. not available
2. McGill not available
3. includes \$324,000 for newly created Moncton Faculty of Law
4. Toronto not available
5. Saskatchewan, Alberta not available
6. Dalhousie not available; includes \$561,000 for newly created Moncton Faculty
7. Alberta not available; includes \$382,000 for newly created Calgary Faculty
8. Includes \$458,000 for new Victoria faculty; Alberta not available
9. Includes \$364,000 for new Victoria faculty; Alberta not available
10. Includes \$134,000 for new UQAM faculty; Montreal not available
11. Alberta not available
12. York not available
13. Laval not available

Source: Canadian Association of Law Libraries

available for acquisition for only limited periods of time; and catch-up costs, of course, mount exponentially. We must add that a number of faculties outside of Quebec have expressed in development plans transmitted to us that they too are seriously concerned about the declining level of funding they are able to supply to their libraries. Other law libraries encounter administrative problems connected with joint administration with the university library which seriously hamper their service, especially concerning the need in law for rapid acquisition and processing of essential legal materials such as law reports or statutes. Clearly, library administrative procedures need to be set so that the particular needs of law faculties can be met.

One final point worth mentioning, before turning to the analysis of responses concerning libraries in our survey, is the relative standing of law faculty libraries among law libraries in general, particularly law society libraries. The 1956 Report of the Committee on Legal Research, in reporting on research facilities, began not with a discussion of law faculty libraries but of law society libraries to which most attention was directed. These libraries were found to be inadequate in terms of holdings, (particularly with respect to periodicals), in quality of librarianship and service, and in interlibrary loan capability. The recommendations of the Scott Committee for improvement of law society libraries were apparently not effective. Growth in the holdings of law society libraries was subsequently very slow and their development generally inadequate. In 1975, Viola Bird observed, "It should be clear that any efforts at improving law society or association libraries are greatly past due, and that these libraries, with very few exceptions are poor and have languished in neglect due to lack of funds".⁷ The fact is, what has developed over the past thirty years is the clear emergence of the law faculty libraries (with certain rare exceptions) as the fundamental research facilities within the Canadian legal community.

⁷ Law Library Resources in Canada, V.A. Bird, p.36

After mentioning a variety of law libraries, including law society libraries, legislature libraries, and federal and provincial government libraries, Viola Bird concluded:

The 16 law school libraries included in this survey are by far the strongest in terms of their systematic development and their present state. They have had the advantage of better and more consistent funding than the other types of libraries, and, by and large, have used the available funds to develop well-rounded collections which meet the day to day needs of their users. Most of the legal research being carried out in Canada is being done at the law schools or by law faculty members working on projects for government agencies, such as the law reform commissions.⁸

Law faculty libraries have become thus, the past over three decades, unique and irreplaceable national and provincial resources.

With this brief introduction to a few of the overall characteristics of Canadian law faculty libraries, we return to our own survey results. Relative to the capacity to support research, four deans considered their library's holdings to be "excellent", eleven graded holdings as "good" in these terms, three ranked holdings as only "adequate" and three said they were "poor". In terms of teaching needs, however, eleven deans considered their libraries to be "excellent" and eight said they were "good". Physical facilities for law faculties have improved greatly over the past twenty years, and eight deans considered present facilities to be "excellent", six said "good", four said "adequate" and three, "poor". These estimates of library quality correspond closely to the results of our survey of law professors on the same points (Canadian Law Professors, Table Q-17). About one-third of law professors felt their library's holdings were "excellent" in most respects, and about 40% ranked them as "good".

The future of law faculty libraries does not seem to be as bright as the 1970's however, judging from estimates of the adequacy of library budgets (Appendix B, Question 54). For the support of research only one dean considered his library budget "excellent" and eight rated theirs as "good"; but seven deans felt their library

⁸ Ibid, p.231

budgets were "poor" for research support while five rated theirs as "adequate". Fourteen law faculty libraries received special grants from a variety of sources, notably the Law Foundations of Ontario and British Columbia (see Appendix C, Table 53C). In most cases such grants amounted to between \$10,000 and \$50,000, an important if not major addition to the book budgets of most libraries, which averaged, in 1980-81, about \$200,000. The situation of library acquisitions budgets must be considered in the context of the ongoing exponential growth, not only of numbers of monographs and serials and their costs, but also of law itself, in cases, legislation, regulations, etc. Thus, the problem of a stringent budgetary situation is exacerbated by a rapidly expanding level of need.

Library users are predominantly members of the law faculty (Appendix C, Table 50). In 18 of 21 faculties it was estimated that 80% or more users are from within the faculty. Nonetheless, six faculties estimated that 10% or more of their users were from other faculties in the university; and five faculties estimated that 10% to 15% of their users were members of the legal profession, while another nine faculties estimated that from 5% to 10% of their users were from the legal profession. Users other than these types were rare.

Sixteen law faculty libraries have formulated a collections development policy, usually developed within the law faculty (except in two cases where it was developed by the university library), either by the law librarian (in four cases), by a faculty committee (in another four cases), or by a combination of the two (in six cases). Five faculties provided us with copies of their library policies, and notes on the conditions of their libraries were provided in their faculty plan by three other faculties. Collections development policies specify certain areas geographically and by subject matter and types of publication, and they indicate, according to various scales, the extent to which materials in these areas will be acquired. A reading of a number of such policies serves to underline the fact that despite the aforementioned progress in the growth of Canadian law faculty libraries, they are nonetheless a great distance from being adequate research resources in most fields. One mid-sized library, for example, with total volumes in 1981 of 127,000 (including

microforms) - larger than nine other libraries - stated the following in describing its highest level of acquisition intensity:

Comprehensive - Ideally the term comprehensive should be used to describe a level of holdings which is exhaustive. Our collections policy in no subject area can be so described. The term is therefore used only to describe our policy regarding jurisdictions.

Only in the case of one library policy did we find a reference to coordination with other libraries, and this referred to the Cooperative Acquisition Scheme in Ontario. Such schemes may become indispensable for certain areas, in particular foreign law. Seventeen law faculties specified for us areas of weakness in library holdings (see Appendix C, Table 52B), and in twelve cases foreign materials were mentioned: American materials specifically by three faculties, European materials specifically by three others. In different words, "comparative law" holdings were listed as a weakness by five faculties (four of which coupled this with a mention of foreign holdings). International law was cited as a weakness by two faculties.

On the other hand, several faculties reported strength in the area of international law, and of a number of foreign jurisdictions (usually English-speaking). Taken collectively, the Canadian law faculty libraries include strengths in a limited but important range of areas, with several faculties reporting strengths in American holdings, natural resources law, and international law.

It seems reasonable that law faculties should work towards some kind of inter-library cooperation. When asked if they thought it desirable to secure greater national or regional cooperation and coordination amongst law faculties in respect of libraries, 10 deans answered it was "very desirable" and 10 others "moderately desirable". This attitude agrees with the Brief to the Consultative Group on Research and Education in Law by the Canadian Association of Law Libraries. The CALL made only one recommendation, namely to endorse the recommendation of the National Library's Report by Viola Bird,

that a Legal Resources and Services Centre be established under the auspices of the National Library to foster the development of regional and national co-ordination in law library development and services. According to the CALL Brief, "It is felt that this limited effort... is not unreasonable or unduly financially demanding. Indeed, the Legal Resources and Services Centre is largely an effort to provide better coordination of present expenditures in order to maximize their efficiency." In our survey, 18 deans indicated they supported this recommendation either "a great deal" (7) or "moderately" (11).

As a final point, the survey revealed that 19 law libraries either now had or would soon have computer installations. Microform services are available in 20 libraries. From 1977, when the CALL began to report microform holdings, to 1981 the proportion of microforms (in volume equivalents) to total volumes (including microforms) has increased from 5.5% to 10.8%.

F. CONTINUING LEGAL EDUCATION (CLE), PUBLIC LEGAL EDUCATION (PLE) AND BAR ADMISSION

In keeping with the interpretation of its mandate which concentrated the focus of inquiry on legal research, and following the explicit suggestion of its Advisory Panel, the Consultative Group did not investigate the above-mentioned areas in depth. A number of questions on these activities were included in the questionnaire, however, to gain an appreciation of the extent to which they may impinge upon research activity within the law faculties (Appendix B, Questions 57-67).

Seven law faculties have formal programs of CLE. Although two-thirds do not have formal CLE programs, only one faculty said that none of its professors were engaged in CLE. Ten faculties reported that up to 25% of faculty members were involved in CLE; eight faculties reported that 25 to 49% of the staff were engaged in CLE; and two faculties set their estimate higher than 50%. Clearly, therefore, Continuing Legal Education is a concern to almost every law faculty, and affects a large proportion of professors in at least half of the faculties.

In 10 faculties CLE work did not provide remuneration to the professors involved, but in eight others remuneration was available, provided by the law society (3), the faculty (2), the university (2), or other sources, including tuition fees (2). Twelve deans answered that they felt their faculties should not have formal responsibilities for Continuing Legal Education, while eight felt they should. The six civil law faculties were divided four contra, two pro.

The faculties showed a somewhat greater inclination to take on formal responsibility for Public Legal Education. Ten faculties have PLE programs, and 11 deans felt the faculty should have formal responsibility for PLE (the six civil law faculties were evenly divided on this point). Again, as for CLE, in most cases (at nine faculties) there is no remuneration for PLE work. At some faculties, however, remuneration is provided, usually by the university (4) or the faculty (2). The extent of professorial participation in PLE is much less than for CLE: only 5 faculties indicated over 25% or more of their staff were involved in PLE.

While opinion was fairly equally divided on the question of the formal incorporation of CLE and PLE within the law faculty, there was a clear consensus among the deans that bar admission should not be the formal responsibility of the law faculty - 17 deans were against it (including four civil law faculties). At present 10 faculties have no professors involved in bar admission work, and eight others have fewer than 25% involved. Remuneration for this work is provided in all cases but one.

Considering the three extra-curricular teaching functions together - CLE, PLE and bar admission - we asked the deans about their advantages and disadvantages. The former clearly outweighed the latter. The deans saw a great deal of value in these programs in terms of goodwill and the discharge of the proper public and professional responsibilities of the faculty, and they tended to find certain advantages in terms of "knowledge feedback". The main disadvantage, rated "moderate" by 13 deans, was the distraction from research. The problem of the additional teaching load demanded by the extra-curricular programs was serious for only two faculties and rated as a moderate disadvantage by only five others.

Our last question on extra-curricular teaching was whether law professors taught in other university faculties. Twenty deans answered affirmatively; and 19 said they regarded such teaching as interdisciplinary collaboration, although 15 also said that it could be regarded as a type of service function. Thus it remains unclear whether or not such teaching reflects genuine interdisciplinary scholarship, or mainly provides legal input to certain other courses when requested.

G. LAW FACULTY ADMINISTRATIVE STRUCTURES

Generally, law faculties have small administrative units (Appendix B, Questions 68-70). Naturally, all faculties have a dean, and 19 provide the dean with a salary supplement, 20 provide a reduced teaching load. Seventeen faculties also have an associate dean - in every case provided with both salary supplement and reduced teaching load. Here the general pattern stops. Only eight faculties have one or more assistant deans; five of these provide a salary supplement, and five reduced teaching load. Significantly for the interests of this study, only about one quarter (5) of the law faculties have a director of research, three of whom are provided with a reduced teaching load, two with a salary supplement. About half the law faculties have a director of graduate studies (11) or other academic administrator (10). In both positions, three are provided with salary supplements and four or five with reduced teaching loads. Although there are 16 law librarians with academic rank, only five are provided with reduced teaching and three with salary supplements.

Non-academic senior administrators are not numerous - 40 were reported in total; and 16 faculties had two, or less (Appendix B, Question 69). Eleven deans said that they needed additional administrative personnel of various types, both academic and non-academic (see Appendix C, Table 70A).

H. TEACHING PERSONNEL

We asked the deans to evaluate their faculty complement on nine issues according to a four-point scale: excellent, good, adequate, poor (Appendix B, Question 71). The outstanding major problem area

was the faculty/student ratio. Of the 21 deans only six rated this ratio as good (2) or excellent (4), while eight actually rated it as "poor". The next area of concern was orientation to research. Research orientation of faculty was regarded as excellent (3) or good (10) by 13 faculties, but as poor (2) or adequate (6) by eight; and the level of research activity was considered poor (2) or adequate (8) by 10 deans, and good (8) or excellent (3) by the other 11.

The deans are evidently satisfied with the educational formation of their professoriate (excellent - 6, good - 13) and with their teaching skills (excellent - 5, good - 14). Many deans, however, were concerned about professors' experience in practice - a factor rated "excellent" by only two deans, "good" by seven and "adequate" by 12. These attitudes may indicate that the deans are more concerned with the capacity of their faculty for professional training than for research. The attitude of the deans as to educational qualifications, for instance, seems to contrast sharply with the fact that about 80% of law professors do not hold a doctorate (87% of common law professors) and 30% do not hold a master's degree in law (see Canadian Law Professors, Tables Q-6, Q-6A). The deans' relative satisfaction with the level of research activity may similarly be contrasted with the fact that nearly 40% of professors devote 10% or less of their working time to self-initiated research, while only 21% spend over one quarter of their working time on such research (see Canadian Law Professors, Table Q-31). Or, again, one may compare the deans' virtually unanimous positive appraisal of the teaching skills of their professors with the fact that very few professors - under 10% - frequently employ interdisciplinary methods in their teaching, or comparative methods (under 15-16%). Even the historical approach is employed frequently in teaching by only about one quarter of law professors (see Canadian Law Professors, Table Q-33).

One may also note a contrast between the fact that the deans are generally quite satisfied with the career stability of their faculty members (5 - excellent, 12 - good) and the fact that 40% of respondents in our survey of full-time law professors (Canadian Law Professors, Table Q-75) were either unsure (32%) about remaining law teachers or decided against it (8%). In the same vein it is interesting that the deans are generally happy about the non-academic

commitments of their professors (4 - excellent, 9 - good, 4 - adequate, 3 - no opinion), while roughly 80% of law professors were involved over the past five years in part-time work, nearly 40% in part-time private practice alone (Canadian Law Professors, Table Q-31).

What strikes us as a general ambivalence in attitude towards research within the law faculties is also revealed in the responses to the next question in our questionnaire to the law deans. We contrast these replies with certain issues on which we have already commented: that research seems to be of secondary importance in the faculty. The question concerned the extent to which research ability was given weight in respect of a number of career decisions. Concerning the two issues of promotion and tenure, 17 and 16 deans respectively reported "a great deal" of weight given to research (Appendix B, Question 72). This may relate to a large extent to the influence of university policies; for, elsewhere in the questionnaire (Appendix B, Question 78), we found that appointment, tenure and promotion policies were affected "a great deal" (11) or "moderately" (9) by university policies at virtually all law faculties. This evidence of a "sudden" primary significance to research amid an overall context in which it is clearly secondary, and in a way that directly affects the law professor's livelihood, was often the cause of complaint at regional consultations.

For many law faculties research is not a particularly significant factor for the issues of hiring ("a great deal" - 8, "moderate" - 11), or salary adjustments ("a great deal" - 8, "moderate" - 5, "very little" - 8). And yet these are areas in which for many other disciplines the research factor might be considered at least as important as it would be for promotion and tenure. When it comes to teaching load, research is given very little or no weight by 10 faculties and "moderate" weight by eight others. This may not be the intent of the faculties per se, but it contributes to the sense many law professors apparently experience with respect to research of being caught between expectations and resources.

When we asked if deans were having difficulty hiring or retaining faculty, nine said "very little", five said "a great deal", and seven answered "moderate". Where there are difficulties, they attach most

often to salary levels and to the partially related factor of the attractiveness of non-academic careers, and secondly to the need to fill specific subjects areas (Appendix B, Question 74). Competition from other law schools is a major problem at four faculties, and moderate at three others. Immigration policies are not a major problem. A number of other problems were listed (Appendix C, Table 74F) but on examination they generally related to salary levels and the attractiveness of other careers.

In assigning teaching responsibilities the primary factor for most faculties, naturally enough, was the faculty curriculum policy (Appendix B, Question 77). It was more interesting to note that the next most significant factor was student demand, cited as being of "great" importance by nine faculties and "moderately" important by nine others. Would this hold true for other professional faculties? The research interests of faculty members were given a "great deal" of consideration by seven faculties and "moderate" consideration by 10 others. Administrative functions tended to be of moderate significance, and non-academic commitments of little importance.

I. INFLUENCES ON LEGAL EDUCATION AND RESEARCH

A series of fourteen issues of importance to a law faculty were addressed to the deans who were asked to indicate the extent of impact on these issues coming from three sources: the university, government, and the legal profession. To begin with an overall comment, the impact of the legal profession appears to be negligible or minor in every area except curriculum where the profession still strongly affects a number of faculties, though half of them hardly noticed any influence even in this area. The university, on the other hand, is the major influence on the life of the faculty, but it has scarcely begun to affect curriculum. Finally, government exerts a great influence over the faculty in many ways, particularly research.

For 15 or more law faculties, university policies had a "great deal" of impact on the following points: operating budget, number of faculty, library, salary structure. To almost the same extent, the university strongly affected appointment, tenure and promotion,

research funds, recruitment of faculty, administrative policies and support staff (Appendix B, Question 78). In these cases at least 15 faculties reported the extent of university influence as "a great deal" or "moderate". In only three faculties did the university exert a great deal of influence over the non-academic commitments of faculty members, although seven others reported a "moderate" influence in this regard. The university influence regarding academic standards was generally slight or moderate. With respect to admissions policies and curriculum, 16 faculties reported very little or no university influence. It is, then, not in the intellectual or academic areas that the university influence is mainly felt - but in institutional matters. Nonetheless, these two dimensions of the faculty do interrelate, as, for instance, in promotion and tenure criteria. And if control of the purse-strings is ultimately the deciding factor, then over time one might expect law faculties to become increasingly assimilated into the university ethos.

Government, as mentioned, is a real presence in the law faculty, and particularly affects research. The influence of government on research funds (9 - "a great deal", 6 - "moderate") is virtually equal to that of the universities. Governments also strongly affect operating budgets at most faculties, and in 14 cases have either a great deal (8) or moderate (6) influence on the number of faculty employed. For half the faculties, governments exert a similar influence on facilities and buildings, libraries, salary structures, support staff and even recruitment of faculty. However, they do not influence to much extent academic standards, admissions or administrative policies, or curriculum.

In assessing the impact of the legal profession we felt it important to allow the deans the opportunity to distinguish formal and informal influence, and so we repeated our question to allow for this differentiation (Appendix B, Questions 80, 81). In most matters the influence of the legal profession, formal or informal, was ranked "very little" or "not at all" by 17 to 21 faculties. This applies to the following: facilities and buildings, operating budget, number of faculty, recruitment of faculty, appointment - tenure - promotion policies, libraries, salary structure, support staff, academic standards, administrative policies.

The main area of influence of the legal profession was curriculum. Yet, even in this respect, at both the formal and informal level, 10 faculties reported very little or no influence. One should at least raise the question here of the possibility that informal influence is not perceived simply because of a coincidence of values and objectives between the faculty and the profession. Four faculties did report "a great deal" and seven "moderate" influence of the profession on curriculum at the formal level; while two reported "a great deal" and nine "moderate" influence at the informal level.

At six faculties admissions policies were formally affected by the legal profession a great deal or moderately; informally these policies were moderately affected by the profession at three faculties. It seems worth noting, then, that at 15 faculties admissions policies were not at all or only very little affected in a formal way by the legal profession; and furthermore, there was no informal influence by the profession at 18 faculties. Unfortunately, however, there was an ambiguity inherent in the meaning of "admissions policies" in this question. The term was not defined, and so might have been taken to mean anything from academic standards, to quotas on out-of-province students, to absolute limits on numbers. One should also bear in mind that law societies set educational standards for admission to practice which act as pre-selection criteria for those who do apply to law schools.

The legal profession influenced research funds informally at a small number of faculties (1 - "a great deal", 4 - "moderately"); and it informally influenced the non-academic commitments of faculty members at a few faculties as well (2 - "a great deal", 3 - "moderately").

In sum, then, though faculty preoccupations continue to be predominantly professional - as we saw at our regional consultations, in the survey of law professors, and in other parts of this survey - nevertheless, law faculties as institutions are clearly creatures of universities and governments. Institutionally they are little influenced by the legal profession. The legal profession, despite its status as a self-governing body with certain public responsibilities, is mainly rooted in the private rather than the public sector. Unlike

universities, then, its interests are not centrally academic and educational, and, unlike governments, its concerns are not primarily public and societal. Nonetheless, in contrast to this pattern, the institutions which train future members of the profession now belong structurally to the public sector, and must inevitably begin to mediate intellectual and societal values within the carrying out of their professional educational responsibilities.

Following the series of questions discussed above, we sought answers from the deans on other possible influences on legal research and education at Canadian law faculties. First, we asked the extent to which faculty development had been influenced by what had taken place in legal education in other countries (Appendix B, Question 82). A first observation here is that France and the U.K. no longer exert much influence. No law faculty claimed that France was an influence either "a great deal" or even "moderately"; only one dean reported that U.K. experience had "a great deal" of influence, while three assigned "moderate" influence to U.K. developments.

Naturally, the deans assign the greatest influence to other Canadian law faculties: 8 - "a great deal" and 8 - "moderate". And about half (10) of the deans assign considerable influence to American developments: 4 - "a great deal", 6 - "moderate". It is interesting that four deans said Australian experience had had "a great deal" of influence in their faculty, and one other felt it had been of "moderate" influence. Among the six civil law faculties, three cited other Canadian law faculties as being of "moderate" influence in their development; but unanimously the civil law faculties said foreign experience had very little or no influence on their development.

To conclude our section on influences on legal education and research experienced at the level of the law faculty itself, we asked the deans to indicate those factors which were favourable or adverse to the development of legal research in Canada. Finally, we questioned the deans on a number of possible structures to foster research development.

To obtain reactions to a list of 11 factors potentially affecting research we used a five-point scale: highly favourable, favourable, neutral or no influence, somewhat adversely, very adversely. The two factors clearly viewed as most favourable by the 21 deans were "law reform activity" (2 - highly favourable, 18 - favourable) and the SSHRC (1 - highly favourable, 17 - favourable). The next most positive appraisal went to the curriculum of law faculties, regarded by two as highly favourable (both civil law faculties) and by eleven as favourable. Nonetheless, it is interesting that seven deans regarded curriculum as neutral towards research, and one dean saw it as somewhat adverse. Although government funding for research was considered favourable by 12 deans (including all 5 deans in Quebec) and highly favourable by one, it was rated as somewhat adverse by five others, and neutral by three.

Opinion was divided on the advantage to research of the presence of two legal cultures. Nine deans considered this favourable (3 from civil law faculties) and one highly favourable, but seven felt it had no influence and four (one at a civil law faculty) thought it was actually somewhat adverse. Concerning "other related systems of legal education", 10 deans thought this was favourable (8) or even highly favourable (2) to research; but nine thought this fact was neutral, and two saw it as somewhat or very adverse. One might mention that responses of civil law deans were confined almost without exception to the headings "favourable" or "neutral". Most of the civil law deans (5 of 6) positively evaluated the SSHRC, government funding for research, law reform activity, and the law faculty curriculum. They were divided evenly in viewing professional attitudes towards research as either favourable or neutral. They generally regarded the other issues as neutral: professional attitudes towards education/curriculum, student attitudes towards education/curriculum, developments in research in other disciplines.

Deans at the common law faculties showed rather different perceptions. Only three of 16 saw professional attitudes towards research as either favourable (2) or highly favourable (1), while five saw these attitudes as neutral and seven saw them as somewhat adverse (6) or very adverse (1). Similarly, professional attitudes towards education/curriculum were seen as favourable by only one dean, as

neutral by seven, but as somewhat adverse by six and as very adverse by two. Student attitudes towards education/curriculum in terms of impact on research were rated even lower by the common law deans: nine rated student attitudes as somewhat adverse in relation to research, and 4 as neutral; only two rated student attitudes as favourable. Common law deans, as their civil law counterparts, tended to see developments in research in other disciplines as having no influence on research in law, with a few exceptions who saw this as a positive influence.

Overall, then, common law deans sensed that research in their faculties must develop within the context of negative student and professional attitudes, while generally isolated from advances in other disciplines, and only moderately, if at all, favoured by the law school curriculum. Civil law deans experienced an attitude of neutrality towards research from students and the legal profession, the same isolation from other disciplines, but supported by a favourable curriculum.

Law deans were unanimous in favouring greater national or regional cooperation and coordination amongst their faculties in respect of graduate studies (Appendix B, Question 86). No less than 16 deans rated such a development as "very desirable" and the remaining five considered it "moderately desirable". There was almost the same degree of support for coordination concerning libraries (10 - "very desirable", 10 - "moderately desirable"). Finally, there was a significant degree of consensus even on the value of coordination in undergraduate teaching, which was ranked as "very desirable" by six deans and "moderately desirable" by eight, although six other deans rated it "very little" in terms of its desirability.

The questionnaire went on to ask about the most useful structures for bringing about such cooperation (Appendix B, Question 87). The deans did not favor the use of a government agency; nor were they enthusiastic about a law faculty body outside of the Committee of Law Deans. Their preference was for bi- or multilateral agreements, favoured "a great deal" by eight deans, and "moderately" by nine. They were also positive towards the use of the Committee of Canadian Deans of Law (3 - "a great deal", 15 - "moderately").

The final question in the section on influences on legal research and education sought the deans' opinions on the value of a number of proposed infrastructural arrangements to foster research. The first, a centre for research on legal education, was favoured by 15 deans (7 - "a great deal", 8 - "moderately") but discounted by six. A Canadian Journal of Legal Education was slightly less popular, though still favoured by the majority (13) of deans. An institute or institutes for advanced legal studies was favoured by 16 of the 21 deans: "a great deal" by six, and "moderately" by 10. Finally, as we discussed in our section on libraries above, the deans were almost unanimous (18) in their approval of the recommendation in the study, Law Library Resources in Canada (V.A. Bird, 1975), for the creation of a Legal Resources and Services Centre at the National Library.

J. PUBLICATIONS

Seventeen law faculties reported publishing a law journal or review - and details on 18 such periodicals were provided in the survey, using its "Form II" (see Appendix B, Form II). The very existence of 18 in-house periodicals (not to mention the Canadian Bar Review and other non-law faculty legal periodicals) in one discipline with a relatively small number of full-time academics is a striking contrast to most academic disciplines. The faculty law review is a tradition inherited from the American law school pattern, in which reviews were edited by the best students and provided an intellectual focal point in the faculty. Founding dates of the Canadian law reviews tend to follow those of the faculties. There were three in existence in 1950, nine by 1960, 15 by 1970, and 18 by 1981.⁹

The faculty reviews are funded from a variety of sources (Appendix C, Table Form II - 2). Only five journals receive over one quarter of their funds from the law faculty itself - and only two receive over half their funding from the faculty. Funds in various proportions also come from grants, in twelve cases, or from

⁹ In the opinion of Dean Edward Veitch of the University of New Brunswick Faculty of Law, this quantity acts against quality. He writes: "We now have some thirty legal publications seeking authors to fill their approximately thirteen thousand printed pages per year (10,000 in English, 3,000 in French). The plethora of opportunity has resulted in the compilation of too many articles which seek to re-examine the trite and at great length." "The Vocation of our Era for Legal Education", Saskatchewan Law Review, 44:21 1979.

subscriptions, in all cases. Other sources of funds included advertising (2), press subsidy (1), royalties (1) and interest (1).

Students alone were editors of five reviews, and co-editors with faculty members in six others. Faculty members were reported as editors of seven. Articles submitted to the journals were sometimes sent for evaluation to assessors outside the faculty by half the journals. The remainder used faculty members or the editors as assessors. Again this pattern of internal assessment would appear strange to many other disciplines.

While seven journals were reported as publishing articles only in specific fields of interest, only three actually named these fields: access to justice (Windsor), petroleum law (Alberta) and space law (McGill). Half of the law reviews are published only once (3) or twice (6) a year. Four others are published three times per year, and five are quarterlies.

Though edited and often assessed within the faculty, the law reviews are not simply faculty organs. Over the past three years, between 10% and 45% of the authors published in 15 of the law reviews were members of the publisher-faculty. On the other hand, again for 15 reviews, over 10% and often over 20% (10 reviews) of authors were professors at other Canadian law faculties. Practitioners were also published: over 10% of the authors in 10 law reviews were practitioners. The extent of student publication would again contrast with journals of other disciplines, for eight law reviews include over 10% of articles written by students. Non-Canadian law professors constituted over 10% of authors in only six reviews; and non-legal authors were above the 10% mark in only three reviews. Eleven reviews published articles in both French and English.

We asked deans to estimate the significance of the existence of their faculty law review(s) for research in the faculty. The result was quite positive: seven deans attributed "great significance" to the review, seven others "moderate significance", and only four "very little significance".

K. CONTACT WITH OTHER OFFICIAL CANADIAN LANGUAGE/LEGAL SYSTEM

Outside of the faculties of McGill, Moncton and Ottawa, there is little contact between the two official Canadian legal and linguistic cultures. Common law courses in French (18 in number) are offered at the Ottawa Common Law Faculty, and, of course, at the Moncton Faculty of Law, which offers all of its courses in French. No francophone civil law faculty offers courses in English. McGill offers twelve French language courses. When it comes to courses on the other legal system, among civil law faculties Laval and Ottawa Civil offer one course each in common law. McGill offers a full complement of courses in both legal systems. Among common law faculties, five offer one course in civil law and one offers three. At the Ottawa Common Law Faculty one course in civil law is offered, but students may take other courses in the Civil Law Faculty for credit. With the exception of McGill, Moncton and Ottawa, then, of the remaining 17 law faculties, students may take courses in the other system at only five.

Formal arrangements for contact with the other legal system are rare among Canadian law faculties. Only three faculties had faculty exchange arrangements; six were involved in student interchanges, and one reported a co-operative research arrangement. The federal Department of Justice administers the important Civil/Common Student Exchange Program, which accounts for much of the contact that was reported.

Some difficulty in inter-system contact relates to the lack of translations of legal texts between the two languages. The availability of French texts in English was rated "excellent" by none, and "good" by only five deans, "fair" by one, "poor" by nine and five others had no opinion. The availability of English texts in French was also rated "excellent" by none, "good" by only four, "fair" by seven, "poor" by five and four had no opinion.

Bilingual ability is also an obvious factor in the lack of contact between the systems, although it does not seem significant at the civil law faculties. At five civil law faculties, a total of together, 72 professors were reported as capable of teaching in the "other" language; while at the sixth civil law faculty it was

estimated that 50% of the faculty could teach in the other language. Even more professors were reported able to supervise students in the other language (69 reported by four faculties, 50% by one other, and "la très grande majorité" at the other).

The capacity to teach the other legal system was also relatively abundant at civil law faculties. Four faculties reported a total of 17 professors capable of teaching both systems, one reported 10% of the faculty so able, and another reported that the large majority could do so. Again a slightly larger number of professors were able to supervise students in both systems.

Common law faculties, on the other hand, were far more limited in terms of knowledge both of the other language and of the other system. Five common law faculties reported no professors able to teach in the other language. And among the remaining 11 faculties of common law there were only 32 professors able to teach in the other language. Among all 16 faculties, only 34 professors were reported able to supervise students in the other language.

As for the capacity to teach both systems, again five common law faculties reported no competent staff, and among the remaining 11 there were only 21 professors reported to have the necessary knowledge of civil law. A total of only 18 professors at common law faculties were reported competent to supervise students in research in the other system.

These reports from the deans confirm the results of our survey of law professors. We found that civil law professors had much greater interest in comparative common/civil law than common law professors (Canadian Law Professors, Table Q-19). And they were much less handicapped by language than common law professors (Canadian Law Professors, Table Q-83B). Nonetheless, language alone is not a sufficient explanation for this "two solitudes" phenomenon as over 70% of common law professors claimed a reading knowledge of French and 33% said they did not feel themselves handicapped by the language barrier from experiencing greater contact with the other legal system. Moreover, only certain legal subjects are common to both systems and one should stress particularly, therefore, the failure, especially of

anglophones, to read materials on common subject areas (eg. constitutional and administrative law) written in the other language. Part of the problem may also be the lack of early exposure to the other system. As we have seen there are few courses available dealing with the "other" system at most faculties. Only about 25% of law professors (22% of common law professors) had taken an undergraduate course in the other legal system (Canadian Law Professors, Table Q-79). Despite the pattern of neglect, however, over 70% of law professors within both systems wish for greater familiarity with the other system (Canadian Law Professors, Table Q-83A).

ADDENDA: POINTS OF INTEREST TAKEN FROM DOCUMENTS SUBMITTED
TO THE CONSULTATIVE GROUP BY THE LAW FACULTIES.

In addition to distributing the questionnaires for the survey just reported, the Consultative Group sent a separate request to the law faculties to submit long-term plans, policy statements, descriptions of recently introduced programs, calendars or any other documentary materials they considered relevant to our study on research and education in Law. Fifteen faculties responded, 10 of which sent materials in addition to their faculty calendars.

The responses illustrate that Canadian law faculties, at least at the level of aspiration, are diversified and dynamic institutions. Creative developments responding to many of the challenges on which our own study has focused are already beginning to appear here and there among the law faculties. What we offer below is not a comprehensive survey but an illustrative sample of current thinking within the faculties on research-related issues, and of developments now taking place relevant to legal research and education.

The University of British Columbia Law Faculty brought to our attention the fact that it is developing programs in Japanese law, law and advocacy and indigenous law. We were also interested in the following description of a course offering entitled, "Methods of Empirical Research", which illustrates both an introduction to a type of research methodology that is generally not yet common in law, and the kinds of issues this research is concerned with:

This seminar is designed to provide a basic introduction to social science research methods and their application to legal problems. The course will aid participants in understanding the significance of reports of social scientists and will provide them with concepts and tools for future legal research. Research methods which will be explored include: field studies, field experiments, laboratory experiments, sample surveys, and computer simulations. The course will look at methods of data collection, experimental design, interviewing, analysis of data, and interpretation of research findings. Emphasis throughout will be on using empirical information to assess current practice or to evaluate the implications of changes in the legal system. Some of the topics that will be considered are: the bail system, behavioural patterns of judges, white collar crime, sentencing decisions, divorce, adversary presentation, pre-trial conferences, identification evidence, jury selection, accident compensation, and rules of civil procedure.

"Interdisciplinary" is not synonymous with "empirical", however, as is demonstrated by the Law and Philosophy LLB/MA Program at the Faculty of Law of the University of Western Ontario. Students follow the regular first year law program, and in their second and third years devote their optional six semester hours of courses to Philosophy. After graduating with the LLB they undertake a year within the Philosophy department, taking either four full graduate courses or three full courses and a thesis. In addition to the LLB/MA Program, the Faculty also offers a PhD in Legal Philosophy conjointly with the Philosophy Department. It is described as follows:

This program has been established to enable PhD students at The University of Western Ontario specializing in philosophy of law to include a legal component to their program of study. Such students will be provided with a solid foundation in the law which will enable them to pursue academic careers in research and teaching in philosophy of law, ethics and public policy, and related areas. The PhD students taking this program will be required to take the first year of the LLB program with the exception of the first year subject, Civil Procedure, for which a suitable substitution would be made. The PhD in Legal Philosophy will be open to up to five students in any given year.

An interdisciplinary undergraduate program in legal studies is now offered by Waterloo University (at which there is no Law Faculty), and again the Philosophy Department is actively involved, in addition to other departments. The program, entitled the Legal Studies Option, is described in these terms:

Legal Studies is an interdisciplinary programme that focuses on law primarily from a liberal arts perspective. Given the centrality of law to most human institutions and values, a great deal of attention has been paid to law by scholars working in a wide variety of disciplines including History, Philosophy, Political Science, Sociology, Economics, and Environmental Studies. Students are invited to join in these scholarly investigations. The liberal arts orientation of this programme emphasizes the student's development of broadly based critical and creative intellectual skills, clarity and facility in the communication of ideas, and humane values in this examination of law as a major feature of social life. In this regard it should be noted that Legal Studies is not intended as either a necessary or a sufficient preparation for law school.

The courses in this option are divided into three sections. The first consists of broadly based courses that are concerned with the nature and character of legal systems, reasoning and concepts; these include courses in the history of law, philosophy of law, sociology of law, and Canadian law. Students are required to take all the courses (four term courses) in this section. In the second section the courses are in general more advanced and concerned with particular aspects of the law. Students must select four term courses from this section. In the third section the courses are less central to the area of legal studies, but serve to bridge the gap between legal studies and particular disciplines. Students will choose two term courses from courses in this section that fit their General or Honours programme.

Carleton University has a Department of Law which offers a full-scale, undergraduate, non-professional program in law, as well as a number of graduate courses. Again the Department's stated objectives include an interdisciplinary orientation. Also at the undergraduate level, York University offers a Law and Society Program. Non-lawyers may take a Certificate of Study in Canadian Law as part of a graduate program focusing on law. Non-professional legal education is also provided in a recently (1981) created program at the Civil Law Section of the Ottawa University Faculty of Law. The courses of the General Certificate in Law Program are offered in French only and take place over three semesters. The program requires

30 credits (10 semester courses) and is designed, "for people who are interested in acquiring legal knowledge to complete their professional training or to better understand the laws that govern our society."

The program does not qualify graduates to practise law in any way. We might also note that in the 1980 Report to the President, Future of the Faculty of Law, the University of New Brunswick's Law Faculty recommended: "that the enrolment level of the Faculty be increased by introducing a program leading to a non-practising law degree."

Although these illustrations of non-professional legal education may not relate directly to legal research, they do serve at least to indicate a broadening scope of legal studies, often involving other disciplines, which may produce a new pattern of legal education and research, sometimes located outside the law faculties.

Part of this desire to broaden the scope of legal studies relates to the common perception that the demand for lawyers in traditional legal practice should not be regarded as the exclusive market for law graduates. This perception is expressed, for example, in a number of the introductory messages prepared by the deans for their law faculty calendars. We might cite a few illustrations:

Two developments have prompted some changes in teaching, and suggest more change is on the way. First, it is no longer clear that the practising bar in Ontario and Canada can continue to absorb all those who graduate from law school. Secondly, there is fresh awareness that legal education as liberal education produces men and women with habits of mind valuable for many vocations, particularly those of a "public policy" sort.

Dean P. Slayton, Faculty of Law,
University of Western Ontario

The wide variety of services that can be provided by those with legal training must be viewed in a broader context than the traditional practice of law. Government, business, industry, labour and commerce all offer interesting challenges to legally trained individuals. Evidence of the presence of these challenges is nowhere more apparent than in the Law Faculty itself which receives increasing demands each year for law graduates interested in entering these fields. Thus, while the number of individuals currently studying law is relatively high, numerous opportunities await those students who are willing to expand their horizons.

Dean R.W. Ianni, Faculty of Law,
University of Windsor

Our curriculum is being developed to enable a student to acquire a variety of legal skills including interviewing and counselling techniques, drafting of legal documents, techniques of negotiation and arbitration, and legal advocacy. The development of these skills takes place both in separate courses and programmes as well as in substantive law courses. The curriculum of our faculty should enable a student to pursue a variety of careers upon graduation, including careers in the private practice of law, public service and business.

Dean L.R. Robinson, Faculty of Law,
University of Victoria

While taking account of the instructional requirements for future practising lawyers, we are sensitive to the fact that our graduates will occupy a variety of positions of leadership and influence - in the judiciary, in government, in industry and commerce, and elsewhere.

Dean K.M. Lysyk, Faculty of Law,
University of British Columbia

The University of New Brunswick has taken this thinking perhaps a step further in their planning report, the future of The Faculty of Law (1980), in which it is recommended, "that the Faculty explore the possibility of instituting additional joint degree programs at the undergraduate and graduate level (e.g. Public Administration, Forestry, Education, Engineering) where there would appear to be employment opportunities for graduates." Rather than tie all legal education to legal practice, the Report advises that, "It would probably be better to try to develop academic streams that might attract students to careers outside the law rather than to limit arbitrarily the number who can follow the practice stream."

In a 1976 report of the Planning Committee of the Dalhousie Law Faculty we find a clear expression of another common theme, specialization.

Without wishing to opt for any of the suggested objectives, we should at least realize that there are insidious dangers involved in trying to do everything equally well. The first danger is that we end up doing nothing really well, stretching our resources too thinly over the whole terrain of legal education, in the belief that all suggested objectives are after all legitimate and have some merit and that eclecticism tends to promote peace among different elements in the Law School. Second, there is the danger that if Dalhousie stays on

its present eclectic course, it will become less and less distinguishable from other Canadian law schools, each providing much the same bland fare. Third, eclecticism in legal education tends to mean a disservice to special interests and responsibilities which each Canadian law school acquires by virtue of geographical setting, its concentration of talent and library reserves, and other factors.

Without wishing to be dogmatic, the Planning Committee is inclined to the view that neither lawyers nor law schools are omniscient and that some degree of specialization is desirable. It also seems likely, in the absence of persuasive evidence to the contrary, that some degree of professional specialization among Canadian lawyers is inevitable, sooner or later.

Finally, we include the following excerpt taken from the same source as cited immediately above. It expressed succinctly the universal feeling within law schools of being pressed on all sides with a host of differing objectives:

Like other law schools, Dalhousie is confronted with a bewildering choice of educational objectives, a situation that has been described as "just this side of chaos". These objectives might be characterized in terms of six typical attitudes frequently encountered within the law teaching profession.

- a) practical skills ("Law School is primarily the training ground for future practitioners of law; the place where students develop the practical skills required for solving legal problems");
- b) analytical skills ("The law student's chief need is to develop expertise in the use of legal materials, especially the technical skill of analyzing judicial decisions and legislation");
- c) doctrinal foundation ("A student goes to Law School to learn the law, to grasp the basic concepts and to acquire the necessary foundation of knowledge for whatever legal tasks he may later choose to undertake");
- d) social awareness ("The Law School's highest duty is to make the student fully aware of the ramifications of law in human affairs, sensitive to the impact of the legal system upon society, aroused by injustice, and professionally involved in the cause of law reform");

- e) policy-oriented sophistication ("Law is one of the social sciences and as such is ultimately akin to the humanities in its concern with human welfare and social conditions. Law School is where one goes to study and discuss the legal system, to seek an understanding of official policy and decision-making, and to focus especially on the social mechanisms for the resolution of disputes and conflicts");
- f) leadership training ("Given the complex, rule-oriented conflict-generating type of society that has evolved in our culture, the lawyer has become the most effective participant in leadership. It is, therefore, of critical social importance that Law School education be governed by the spirit of public service and shaped by the need to develop leadership as well as professional responsibility").

Others tied this problem of conflicting objectives to the fact that law faculties must serve many constituencies at once. At our Prairies regional consultation one participant listed these interests to which law faculties were expected to respond: pure research, result-oriented research, practising specialists, practising generalists, government administrators, judges, professors, students, universities, law societies, continuing legal education groups...He then compared the situation of the law schools to the attempt to use a handkerchief as a bed-cover, with each of these bedfellows pulling it at once and no one getting warm. The same sense is found in this opening line of Dean Slayton's message in the U.W.O. Faculty Calendar:

A law school is tugged in many directions. It has several constituencies, each demanding that particular interests be respected and promoted. The character of a law school depends on the balance struck between these interests; its future, upon the recognition that in uncertain times the nature of these interests can change rapidly.

Appendix A: Tables Based on Statistics of the
Canadian Deans of Law

LAW DEANS STATISTICS

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LAW DEANS STATISTICS

Table A TEACHING AND SUPPORT STAFF
1980-81

TEACHING STAFF	Common Law	Civil Law	Total
<u>Full-Time Faculty</u>			
full-time faculty	414.8	197.5	612.3
females in above	41.7(10.1%)	27 (13.7%)	68.7(11.2%)
on leave	51.5(12.4%)	22.5(11.4%)	74 (12.1%)
equivalent F-T. Faculty	352.7	134.5	487.2
weekly hours taught	2,045.2 hrs.	807 hrs.	2,852.2 hrs.
hours taught outside faculty	18.0 hrs.	20 hrs.	38 hrs.
<u>Part-Time Faculty, others</u>			
	% *	% *	% *
part-time faculty	318 43.4	231.5 54.0	549.5 47.3
weekly hours taught by above	535.5 20.8	406 33.5	941.5 24.8
teaching fellows and assistants (full-time, part-time)	23	14	37
weekly hours taught by above	49	18	67
visiting professors	12	8	20
weekly hours taught by above	57.5	10	67.5
weekly hours taught by members of other faculties	28.0	24	52

* As percentage of full-time and part-time

SUPPORT STAFF	Common Law		Civil Law		Total	
equivalent support staff (excluding library)	209	N .50	109	N .55	318	N .52
professional librarians	46	.11	18.5	.09	64.5	.11
other library staff	172.6	.42	66.5	.34	239.1	.39

r - ratio support staff: full-time law faculty

LAW DEANS STATISTICS

Table B TEACHING AND SUPPORT STAFF
1978-79

TEACHING STAFF	Common Law		Civil Law		Total	
<u>Full-Time Faculty</u>						
full-time faculty	382		209		591	
females in above (not available)						
on leave	43		30.5		73.5	
equivalent F-T. Faculty	312.2		174		491.2	
weekly hours taught	1,903.2 hrs.		1,044 hrs.		2,947.2	
hours taught outside faculty	46.75 hrs.		14 hrs.		60.75	
<u>Part-Time Faculty, others</u>						
		%		%		%
part-time faculty	275	41.8	213	50.5	488	45.2
weekly hours taught by above	443.25	18.9	328	23.9	771.25	20.7
teaching fellows and assistants (full-time, part-time)	62		39		101	
weekly hours taught by above	68		144		182	
visiting professors	12		2.5		14.5	
weekly hours taught by above	50		10		60	
weekly hours taught by members of other faculties (not available)						
as % of full-time and part-time combined						
<u>SUPPORT STAFF</u>						
		r		r		r
equivalent support staff (excluding library)	204.0	.53	127	.61	331	.56
professional librarians	51.0	.13	23	.11	74	.13
other library staff	169.0	.44	65	.31	234	.40

r - ratio support-staff: full-time law faculty

LAW DEANS STATISTICS

Table C TEACHING AND SUPPORT STAFF

1977-78

TEACHING STAFF	Common Law		Civil Law		Total	
<u>Full-Time Faculty</u>						
Full-time faculty	380		205		585	
Females in above - not available						
on leave	41.5		33.5		75	
Equivalent F-T Faculty	321.85		154.0		475.85	
Weekly hours taught	1,931.1 hrs.		924.0 hrs.		2,855.1 hrs.	
Hours taught outside faculty	44.25 hrs.		14 hrs.		58.25 hrs.	
<u>Part-Time Faculty, others</u>						
		%*		%*		%*
Part-time faculty	265	41.1	224	52.2	489	45.5
Weekly hours taught by above	414	17.7	312	25.2	726	20.3
Teaching fellows and assistants (full-time, part-time)	83		30		113	
Weekly hours taught by above	35		21		56	
Visiting professors						
Weekly hours taught by above						
Weekly hours taught by members of other faculties	18		53		71	
* as percentage of full-time and part-time						
<u>SUPPORT STAFF</u>						
Equivalent support staff (excluding library)	206.0	r .54	129.0	r .63	335.0	r .57
Professional librarians	51.5	.14	22.0	.11	73.5	.13
Other library staff	166.0	.44	60.0	.30	226.0	.39

r - ratio support staff to full-time faculty

LAW DEANS STATISTICS

Table D ENROLMENT - 1980-81

	Common Law	Civil Law	Total
<u>First Law Degree</u>			
1ST YEAR APPLICATIONS REC'D	17158	7265	24423
OFFERS MADE	5135 (29.9% appl's)	2277 (31.3% appl's)	7412 (30.3% appl's)
1ST YR. ENROLMENT	2174 (12.7% appl's)	1096 (15.1% appl's)	3270 (13.4% appl's)
TOTAL ENROLMENT	6224	3186	9410
FEMALES ENROLLED	2082 (33.5% total)	1422 (44.6% total)	3504 (37.2% total)
ratio enrolment/ full-time faculty	15.0:1	16.1:1	15.3:1

<u>Graduate Students - Full-time</u>	% total enrolment		% total enrolment		% total enrolment	
LLM	69	1.1%	165	5.2%	234	2.5%
DOCTORAL	9	0.1%	18	0.6%	27	0.3%
other	20	0.3%	168*	5.3%	188	2.0%

Graduate Students - Part-time

LLM	101	1.6%	279	8.8%	380	4.0%
DOCTORAL			13	0.4%	13	0.1%
other	10	0.2%	3		13	0.1%

Special, Cross Registered, etc.
etc.

25.5

10.9

36.4

* includes Notorial
Diploma

LAW DEANS STATISTICS

Table E ENROLMENT - 1978-79

STUDENTS

1st law degree						
1st yr. applications rec'd	19,407		6,659		26,066	
offers made	4,622 (24.0% appl's)		2,228 (33.5%)		6,890 (26.4%)	
1st yr. enrolment	2,139 (11.2% appl's)		1,178 (17.7%)		3,317 (12.7%)	
total enrolment	6,125		3,357		9,480	
females enrolled						
ratio: enrolment: F-T faculty	16.0:1		16.1: 1		16.0:1	
Graduate Students - Full-time		% of total enrolment		% of total enrolment		% of total enrolment
LLM	70	1.1	108	3.2	178	1.9
Doctorate	7	0.1	28	0.8	35	0.4
Other	2		183*	5.6	185	2.0
Graduate Students Part-time						
LLM	97	1.6	335	10.3	432	4.6
Doctorate			10	0.3	10	0.1
Other						
Special, Cross-registered, etc	71.5		80.5		152	

* includes Notorial
Diploma

LAW DEANS STATISTICS

Table F ENROLMENT - 1977-78

STUDENTS	Common Law		Civil Law		Total	
1st law degree						
1st yr. applications rec'd. - not available						
offers made - not available						
1st yr. enrolment	2124		1118		3242	
total enrolment	6122		3190		9312	
females enrolled						
ratio: enrolment: F-T faculty	16.1: 1		15.6: 1		15.9: 1	
Graduate Students - Full-time		% total enrolment		% total enrolment		% total enrolment
LLM	71	1.2	128	11.5	199	2.1
Doctorate	10	0.2	24	2.2	34	0.4
Other	4		150*	13.4	154	1.7
Graduate Students Part-time						
LLM	100	1.6	231	20.7	331	3.6
Doctorate			21	1.9	21	0.2
Other			1.5		1.5	
Special, Cross-registered, etc	74.25		77		151.25	

* includes Nororial
Diploma

LAW DEANS STATISTICS

1980-81

Table G BUDGET - \$000's

Total Budget	\$ Per Student*	Full-time Faculty Salaries	F.T. Salaries as		Library as	Library Salaries as			P.T. Salaries as	
			% Total Budget	Library	% Total Budget	Library Salaries	% Library Budget	Part-time Faculty Salaries	% Total Budget	% Total Budget
Common Law	4,415	14,478	51.9%	6,271	22.5%	3,572	57.0%	981	3.5%	
Civil Law*	3,976	8,229	58.5%	1,968	14.0%	1,661	84.4%	803	5.7%	
Total	4,258	22,707	54.1%	8,239	19.6%	5,233	63.5%	1,784	4.3%	
* Full-time students										
Full-time enrolment										
Common		2,826	10.1%	Proportion of Total Budget re-presented in Tables						
Civil		1,761	12.5%	88.0						
Total		4,585	10.9%	90.7						
Total				88.6						

* Figures for the U.Q.A.M. were not available for this year or for 1978-79. We have made estimates on the basis of the 1977-78 budget increased by 25%, which was the global rate of increase over that period at the University of Montreal.

Salaries for library staff for Laval were not available; and we have estimated based on the 1979-80 value increased by 12%.

LAW DEANS STATISTICS
1978-79

Table H BUDGET - \$000's

	Total Budget	\$ Per Student	Full-time faculty Salaries	F.T. Salaries as % Total Budget		Library as % Total Budget		Library Salaries as % Library Budget		Part-time Faculty Salaries		P.T. Salaries as % Total Budget	
				Library as % Total Budget		Library as % Total Budget		Library Salaries as % Library Budget		Part-time Faculty Salaries		P.T. Salaries as % Total Budget	
Common Law	22,691	3,657	11,959	52.7%	5,069	22.3%	2,981	58.8%	799	3.5%			
Civil Law	11,640	3,167	6,274	53.9%	1,962	16.9%	1,475	75.2%	680	5.8%			
Total	34,331	3,475	18,233	53.1%	7,031	20.5%	4,456	63.4%	1,479	4.3%			
S.S. Salaries as % Total Budget													
Proportion of Total Budget Represented in Tables													
Common			2,282	10.1%	88.6%								
Civil			1,400	12.0%	88.6%								
Total			3,682	10.7%	88.6%								

LAW DEANS STATISTICS
1977-78

Table I BUDGET - \$000's

	Total Budget	\$ Per Student	Full-time Faculty Salaries	F.T. Salaries as			Library as			Library Salaries as			P.T. Salaries as		
				% Total Budget	% Total Library	% Total Budget	% Total Library	% Total Budget	% Total Library	% Library Salaries	% Library Budget	% Part-time Faculty Salaries	% Total Budget	% Total Budget	% Total Budget
Common Law	21,432	3,453	11,029	51.5%	5,090	23.8	5,090	23.8	2,378	46.7%	720	3.4%			
Civil Law	10,301	2,950	5,416	52.6%	1,926	18.7	1,926	18.7	1,370	71.1%	725	7.0%			
Total	31,733	2,272	16,445	51.8%	7,016	22.1	7,016	22.1	3,748	53.4%	1,445	4.6%			
				S.S. Salaries as											
				Proportion of											
				Support Staff											
				Salaries											
				Common											
				Civil											
				Total											
				2,100											
				1,187											
				3,287											
				9.8%											
				88.5%											
				11.5%											
				89.8%											
				10.4%											
				88.9%											

LAW DEANS STATISTICS

Table J BUDGET - ONTARIO ONLY - 1975-76 - \$000's

Total Budget	\$ per Student	Full-Time Faculty Salaries	Salaries as % total Budget	Library	Library as % total Budget
8,667	2.646 undergraduate enrolment	4,471	51.6%	1,528	17.6%
Library Salaries	Library Salaries as % Library Budget	Part-time Faculty Salaries	P-T Salaries As % total Budget	Support Staff Salaries*	S.S. Salaries as % total budget
,078	70.1%	385	4.4%	971	11.2%

* excludes library

LAW DEANS STATISTICS

Table K AVERAGE SALARIES - FULL-TIME FACULTY - (rounded to 000's)

<u>1977-78</u>	COMMON LAW				CIVIL LAW		TOTAL	
	ONTARIO		OTHER					
	No.	Average Salary	No.	Average Salary	No.	Average Salary	No.	Average Salary
Full Prof.	93	38,000	84	36,000	73	34,000	250	36,000
Assoc. Prof.	54	28,000	55	25,000	74	27,000	183	27,000
Ass't Prof.	30	20,000	41	19,000	42	21,000	113	20,000
<u>1978-79</u>	COMMON LAW				CIVIL LAW		TOTAL	
	ONTARIO		OTHER*					
	No.	Average Salary	No.	Average Salary	No.	Average Salary	No.	Average Salary
Full Prof.	99	40,000	88	39,000	66	40,000	253	40,000
Assoc. Prof.	53	29,000	57	27,000	79	30,000	189	29,000
Ass't Prof.	27	21,000	32	23,000	34	24,000	93	23,000
<u>1980-81</u>	COMMON LAW				CIVIL LAW ¹		TOTAL	
	ONTARIO		OTHER ²					
	No.	Average Salary	No.	Average Salary	No.	Average Salary	No.	Average Salary
Full Prof.	100	46,000	88	49,000	79	45,000	267	47,000 21,910
Assoc. Prof.	51	33,000	61	34,000	67	35,000	179	34,000 15,980
Ass't Prof.	33	25,000	36	30,000	36	27,000	105	27,000 12,690

* Salary Avg. excludes Dalhousie; Number of faculty includes no. for Dalhousie for 1977-78

¹ Excludes UQAM from both number of faculty and salary average (total faculty - 15)

² Excludes Moncton from both number of faculty and salary average (total faculty - 10)

LAW DEANS STATISTICS

TABLE L AVERAGE SALARIES - ONTARIO ONLY - 1975-76 (rounded to \$000's)

	No.	Average Salary
Full Professor	84	32,000
Associate Professor	47	23,000
Assistant Professor	36	18,000

LAW DEANS STATISTICS

TABLE M REGIONAL COMPARISON - AVERAGE SALARIES - 1980-81

	WEST		ONTARIO		QUEBEC ¹		ATLANTIC ²	
	No.	Average Salary	No.	Average Salary	No.	Average Salary	No.	Average Salary
Full Prof.	69	47,000	100	46,000	79	45,000	26	42,000
Assoc. Prof.	49	35,000	51	33,000	67	35,000	12	28,000
Ass't Prof	28	27,000	33	25,000	36	27,000	13	23,000

1 excludes UQAM

2 excludes Moncton

Table N REGIONAL COMPARISON - BUDGETS - 1980-81 - \$000's

	WEST	ONTARIO	QUEBEC ¹	ATLANTIC ²
1. Dollars Per Student*	\$4,620	\$4,068	\$3,976	\$4,595
2. F-T Salaries as % Budget	53.3%	52.6%	58.5%	54.2%
3. Library as % Budget	26.8%	19.1%	14.0%	22.5%
4. Library salaries as % Library Budget	56.7%	61.1%	84.4%	52.2%

1 excludes UQAM

2 excludes Moncton

Appendix B: Questionnaire of the Survey of
Canadian Law Faculties

CONSULTATIVE GROUP ON RESEARCH AND EDUCATION IN LAW
SURVEY OF CANADIAN LAW FACULTIES

Most answers require a check in the appropriate circle ☒ , or writing the appropriate number on the line provided.

A. STATISTICAL SUMMARY - 1980-81

We would like to supplement the information from the annual statistical survey of law faculties, with the following.

1. Total Full-time enrolment (no. 34 of statistical questionnaire) 8,935
 a) No. of native (indigenous Canadian) students in 34 above 41 (0.5%)
 b) No. of "mature students" in 34 above 539 (6.0 %)
 i.e. admitted under formal provisions for "mature students"

2. Full-time postgraduate students:	Canadian		Non-Canadian		see Table 2
	Male	Female	Male	Female	
Masters	_____	_____	_____	_____	
Doctoral	_____	_____	_____	_____	
Others	_____	_____	_____	_____	

3. Part-time postgraduate Students:*	see Table 3			
Masters	_____	_____	_____	_____
Doctoral	_____	_____	_____	_____
Others	_____	_____	_____	_____

* students in part-time programmes, not students having completed course work and now writing theses part-time

4.	Number of Degrees Awarded			see Table 4
	1st law degree	Masters	Doctorate	
1976-77	_____	_____	_____	
1977-78	_____	_____	_____	
1978-79	_____	_____	_____	
1979-80	_____	_____	_____	
1980-81	_____	_____	_____	

8. UNDERGRADUATE STUDIES

5. Please check off the subject areas below which are covered in the curriculum of your 1st law degree.

	Compulsory	Optional		Compulsory	Optional
Administration of Justice	6	7	Insurance 159	2	19
Administrative Law	12	12	International Law 161	4	19
Agency	6	13	Jurisprudence 162	2	19
Air Law		3	Labor Relations 163	4	18
Arbitration	1	14	Land Law 164	12	10
Bailment	9	2	Landlord and Tenant 165	2	17
Bankruptcy		14	Law for the Layman 166		3
Banks and Banking	2	12	Law Reform 167		6
Children	2	15	Legal Aid 168		3
Citizens and Citizenship	1	2	Legal Education 169		1
Civil Law	1	6	Legal History Canadian 171	5	10
Civil Rights and Human Rights 123	4	17	Legal History other 172	2	8
Combines 124		12	Legal Profession 173	1	13
Commercial Law 125	7	14	Legal Research 174	10	10
Communications 126		11	Legislation 175	5	11
Comparative Law 127		15	Limitation of Actions 176	2	3
Compensation for Victims of Crime 128	5	4	Medical Law 177		11
Computers 129		7	Motor Vehicles 178	3	4
Conflict of Laws 131	2	13	Municipal Law and Planning 179	3	17
Constitutional Law 132	20	4	Natural Resources 181		13
Consumer Protection 133	2	18	Negotiable Instruments 182	3	16
Contracts 134	20	3	Para-legal Services 183	1	1
Co-operatives 135		7	Patents and Trade Marks 184		14
Copyright 136	1	12	Personal Property 185	19	3
Corporations 137	8	15	Persons 186	5	3
Creditors Rights 138	2	17	Poverty Law 187	1	14
Criminal Law 139	20	4	Practice and Procedure 188	20	4
Criminal Procedure 141	5	16	Privacy 189		4
Criminology and Penology 142		17	Private International Law 191	3	17
Damages 143	6	13	Restitution 192	1	14
Divorce 144	8	10	Space Law 193		3
Ecclesiastical Law 145			Statistics 194		
Economics 146		7	Statutory Interpretation 195	7	8
Education 147		4	Taxation 196	6	17
Employment Law 148		9	Torts 197	21	2
Environmental Law 149		20	Trade Unions 198	1	14
Estate Planning 151		21	Transportation Law 199		7
Evidence 152	11	9	Trusts and Trustees 211	4	15
Expropriation 153		10	Unemployment Insurance 212	1	3
Family Law 154	9	13	Water and Water Courses 213		8
Government 155	6	4	Will and Estates 214	3	15
Immigration 156	1	4	Women - Legal Status 215		11
Indians and Inuit 157		9	Other	4	16
Industrial Property 158		11			
Trial Advocacy		7			
Maritime		3			
Law and Society		2			
Law and Psychiatry		4			
Accounting		4			

6. Please rank the following curriculum objectives in order of importance:

	Most important	Some importance	Very little importance	No importance
a) train students for the practice of law	14	7		
b) train students for occupations outside legal practice	2	12	5	2
c) develop interest in law reform	6	11	3	
d) develop interest in social reform	6	11	3	
e) provide students with an understanding of the relationship of law and society	14	7		
f) develop interest in law as a scholarly discipline	8	13		
g) develop interest in the theory and philosophy of law	8	8	5	
h) develop critical reflection on legal practice	8	11	2	
i) other	2		1	

6a) List the 3 most important of these objectives:

See Table 6A

- i _____
- ii _____
- iii _____

7. Have you developed areas of concentration or specialization within your LLB program:

Yes 10 No 11

7a) If so, please specify

See Table 7A

8. Do you offer "clinical" course:

Yes 19 No 2

9. These courses are said to be labour intensive and so, relative to other courses, very expensive. Do you feel your "clinical" programmes absorb an appropriate amount of time and budget relative to their overall value:

Yes 12 No 7

10. Please indicate the number of faculty involved in teaching these courses and the proportion of their teaching time devoted to those courses.

No. of Faculty in each category	Proportion of teaching time involved				Total No. of Faculty involved in clinical teaching.
	1/3	1/2	2/3	full-time	
No. of Faculty in each category	<u>15</u>	<u>9</u>	<u>12</u>	<u>20</u>	<u>56</u>
Full-time equivalent	5	4.5	8	20	37.5

11. Apart from clinical courses, do you include internships or practicums of any kind in your curriculum:

Yes 11 No 10

- 11a) If yes, are these given formal credit: Yes 9 No 12

12. Apart from a first year "legal methods" or similar course, do you offer any courses or seminars designed explicitly to develop academic research skills in law and/or in other disciplines:

Yes 16 No 5

See Table 12A

- 12a) If so, please specify

13. Are students required to write one or more significant research papers prior to graduation:

One paper	Yes 10	No
More than one paper	Yes 4	No

- 13a) If not required, how many students nonetheless write such a paper prior to their graduation. Estimate percentage

% students estimated	Number of faculties
5%	1
25%	2
40%	1
50%	1
70%	1
80%	1

14. Is it possible for students to undertake independent, supervised research work for credit:

Yes 21 No

- 14a) If so, estimate the percentage of students that do so prior to their graduation. Estimated %s by number of faculties

1 - 2%	6 - 10%
4 - 5%	1 - 11%
2 - 6%	3 - 15%
1 - 8%	2 - 20%

15. Are students required to take course offering a perspective on law, such as jurisprudence, legal history, or some similar course:

Yes 11 No 10

- 15a) If not, estimate the percentage that nonetheless do so prior to their graduation. Estimated %s by number of faculties

_____ %	1 - 5%	1 - 35%
	1 - 10%	1 - 40%
	1 - 17%	1 - 45%
	1 - 25%	1 - 50%

16. Are students provided the opportunity to take interdisciplinary courses

(Courses in a discipline other than law or which have as their central purpose the study of the law or an area of law through the use of the concepts or methods of another discipline.)

a) within the law faculty Yes 13 No 8

b) in some other faculty Yes 19 No 2

- 16a) If yes to either of the above, how many students took interdisciplinary courses, involving which disciplines:

See Table 16A

<u>Discipline</u>	<u>No. of students</u>
_____	_____
_____	_____
_____	_____

17. Do you offer joint degree programmes with other disciplines, eg.
LLB-MBA, LLB-MA:

Yes 10 No 11

- 17a. If yes, please list the programmes, and the number of students entering in 1980-81

Programme	No. Students	See Table 17A
_____	_____	
_____	_____	
_____	_____	

18. Approximately what percentage of your first year students have the following qualifications:

See Table 18

Post-Secondary education only, without work experience:

- a) 1 year _____ %
 b) 2 years _____
 c) degree _____
 d) graduate work _____

Full-time work experience (at least 1 year) with:

- e) no post-secondary education _____
 f) some post-secondary education _____
 g) 1st degree _____
 h) graduate work _____

TOTAL 100%

19. Have you conducted any studies on the socio-economic and ethnic background of your student population:

Yes 4 No 17

- 19a) If so, please make the results available to us.

20. Have you instituted any affirmative action to draw into your student population representatives of relatively under represented or disadvantaged or other special groups:

Yes	No
14	6

- 20a) If so, what type of action have you taken:

- | | |
|---------------------------------|----|
| a) special admissions criteria | 14 |
| b) advertizing | 5 |
| c) pre-admission programmes | 3 |
| d) special tuition assistance | 3 |
| e) special financial assistance | 3 |
| f) part-time/evening programmes | 3 |
| g) other (please specify) | |

21. Do you apply any admission quotas:
- | | |
|-----|----|
| Yes | No |
| 11 | 9 |

- 21a) If so, please describe

22. Using the best estimate available to you, what percentage of your graduating students intend to enter:

See Table 22

- | | |
|----------------------------|---------|
| a) private practice | _____ % |
| b) government service | _____ |
| c) business | _____ |
| d) academic career | _____ |
| e) union | _____ |
| f) non-profit organization | _____ |
| g) other | _____ |

23. In your opinion would curriculum specialization by subject area amongst law schools on a national or regional basis be:

	Yes	No
a) possible	14	6
b) desirable	8	12

- 23a) In what field(s) might your faculty specialize:

See Table 23A

24. Given that law graduates enter a variety of law-related occupations, should the curriculum be:

a) largely compulsory?	4
b) largely optional?	10
c) structured into alternate streams between which students may choose, but with the content of each stream being largely fixed:	6

25. Please indicate what you consider to be the priority issues today in undergraduate legal education:

	High Priority	Moderate Priority	Low Priority	No Priority
a) quality/numbers of applicants for admission	6	9	4	1
b) effective student concerns about job opportunities	2	12	5	1
c) student demand for clinical education/exposure to practice	3	10	6	1
d) level of student interest in intellectual questions in law	8	9	1	1
e) financial support for students	1	13	5	1
f) structure of curriculum	9	7	4	
g) quality of teaching	11	6	3	
h) other	1			

C. GRADUATE STUDIES

26. Do you have a graduate programme? Yes 13 No 8

26a) If not, do you have plans to establish one? Yes 6 No 2

26b) What is the expected date of commencement? 19____ 2 - 82
1 - 83
1 - 84
1 - 85

26c) What, if any, are the anticipated areas of concentration? See Table 26C

27. If you do have a programme, is it:

a) general 7/13

b) concentrated in specific areas 6/13

28. If applicable, what are your areas of concentration: See Table 28

29. What is the purpose of your programme(s) both full-time and part-time:

	Full-time	Part-time
a) promote academic study/research	12	7
b) facilitate professional specialization	8	8
c) other (specify)	2	1

30. Please indicate the number of Canadians and Non-Canadians enrolled

both full-time and part-time (students in part-time courses, not students having completed courses work and now writing these part time.) over the past 5 years

	1976-77	1977-78	1978-79	1979-80	1980-81
FULL-TIME					
Canadians	<u>84</u>	<u>88</u>	<u>96</u>	<u>107</u>	<u>135</u>
Non-Canadians	<u>70</u>	<u>62</u>	<u>74</u>	<u>67</u>	<u>80</u>
Total	154	150	170	174	215
PART-TIME					
Canadians	<u>25</u>	<u>117</u>	<u>124</u>	<u>155</u>	<u>139</u>
Non-Canadians	<u>1</u>	<u>4</u>	<u>2</u>	<u>7</u>	<u>14</u>

(statistics do not include Laval)

31. How many graduate students receive funds from the following sources:

<u>Source</u>	<u>No. of students</u>	<u>% of total</u>
a) university	<u>56</u>	50.5%
b) federal government	<u>19</u>	17.1%
c) provincial government	<u>7</u>	6.3%
d) SSHRCC	<u>5</u>	4.5%
e) other	<u>36</u>	32.4%
f) total	<u>111</u>	

32. What is the average grant per student from these sources:

See Table 32

<u>Sources</u>	<u>Average grant (\$)</u>
a) university	<u> </u>
b) federal government	<u> </u>
c) provincial government	<u> </u>
d) SSHRCC	<u> </u>
e) other	<u> </u>

33. What is the total amount granted to students from these sources:

<u>Source</u>	<u>Total amount granted</u>	<u>% of total</u>
a) university	<u>172,000</u>	<u>31.4%</u>
b) federal government	<u>139,900</u>	<u>25.5%</u>
c) provincial government	<u>44,200</u>	<u>8.1%</u>
d) SSHRCC	<u>16,600</u>	<u>3.0%</u>
e) other	<u>175,800</u>	<u>32.1%</u>
f) total	<u>548,500</u>	<u></u>

34. What is the average total amount of financial support a student receives from all sources combined _____
 maximum average - \$8,200.
 minimum average - \$1,200.
 average of averages - \$5,920.

35. Do you offer courses or seminars in which enrolment is restricted to graduate students:

Yes 8 No 5

35a) If so, please list by name:

1. Air and Space law (entire curriculum)

2. Legislative Drafting

3. Legal Research, Policy and Reform

4. Native rights

36. How many professors are involved in direct supervision of graduate research: 128 or 20.9% of total no. of professors (n-613)
 7 faculties indicated 10 or more professors supervising graduate students

37. Are faculty members who supervise graduate students given any relief from other duties:

Yes 3 No 10

37a) If so, in what form lesser administrative duties (3 faculties), smaller teaching load (1)
 in what amount marginal (1), variable (2)

38. Please indicate what you consider to be the priority issues today in graduate legal education.

	High priority	Moderate priority	Low priority	No priority
a) financial support for students	9	4		
b) need for specialized programmes	5	8		
c) development of specifically Canadian programmes	3	8	3	
d) linkage of graduate education to professional specialization	4 v	5	4	
e) need for graduate level courses	5	5	2	1
f) instruction in research methodology	1	10	3	
g) interdisciplinary linkages	4	8	2	
h) career opportunities for post-graduate degrees	1	8	5	
i) attracting good Canadian students to study in Canada rather than abroad	5	6	1	
j) other	1			

D. RESEARCH

39. Does your faculty have an explicit research policy:

Yes

4

No

17

39a) If so, please append

40. Does your faculty have a research:

- a) centre 3
- b) programme 5
- c) institute 6

40a) Please complete 1 copy of Form I
(attached) for each centre, programme or institute.

41. Are there interdisciplinary centres, programs or institutes at your university which play a significant role in encouraging research in the law faculty:

Yes 13 No 8

41a) If so, please list them, and indicate whether the role the law school plays in their programme is major or minor:

See Table 41A

Name of Centre/Institute	Major	Minor
_____	<input type="radio"/>	<input type="radio"/>
_____	<input type="radio"/>	<input type="radio"/>
_____	<input type="radio"/>	<input type="radio"/>
_____	<input type="radio"/>	<input type="radio"/>

42. Apart from research centres etc., does your faculty have a standing fund available to support research by individual faculty members:

Yes 17 No 4

43. If "yes" above, please indicate amount and source of funds:

See also Table 43

Source of Funds	Amount				% of total
	1977-78	1978-79	1979-80	1980-81	
a) law faculty	<u>248,600</u>	<u>218,100</u>	<u>301,700</u>	<u>292,000</u>	39.2
b) university	<u>3,000</u>	<u>3,200</u>	<u>20,200</u>	<u>15,300</u>	2.0
c) government (specify)	<u>1,500</u>	<u>8,500</u>	<u>7,000</u>	<u>35,300</u>	4.7
d) foundation (specify)	<u>234,900</u>	<u>280,700</u>	<u>333,700</u>	<u>390,200</u>	52.3
e) other (specify)	<u>2,500</u>	<u>5,000</u>	_____	<u>13,000</u>	1.7
f) total	<u>490,500</u>	<u>515,500</u>	<u>662,600</u>	<u>745,800</u>	

44. For which of the following purposes are these research funds available:

a) research assistants	17
b) summer supplements	3
c) released time	7
d) secretarial costs	11
e) "seed" money for development of larger research projects	6
f) computer time	9
g) travel and subsistence	13
h) other research expenses	10

45. By estimating percentages, indicate the distribution of these funds in 1980-81 in relation to the following objectives:

See Table 45

a) preparation of teaching materials	_____ %
b) preparation of books/articles	_____
c) preparation of continuing or public legal education materials	_____
d) other (specify)	_____

46. If any faculty members are teaching less than a full load in 1980-81 in order to permit them to devote more time to research, please indicate in each case the percentage of released time involved, and the source providing funds for the released time:

Faculty member Number		Average % of time released	Source of Funds				
			Faculty	University	Gov't	Foundation	Other None
1	(a)	<u>100</u>		1			
1	(b)	<u>66%</u>				1	
4	(c)	<u>50%</u>	3			1	
3	(d)	<u>33%</u>	3				
10		25%	6	2		2	
2		20%			1	1	
2		15%	2				
<u>23</u>			14	3	1	5	

47. In your opinion what are the priority issues facing legal research today:

	High priority	Moderate priority	Low priority	No priority
a) funding	11	7	2	
b) need for released time	13	5	2	
c) influence of government	2	12	5	1
d) influence of law reform commissions	1	14	4	1
e) influence of other funding agencies	6	8	5	1
f) need for interdisciplinary cooperation	8	8	4	
g) lack of interest by faculty members	1	10	8	
h) lack of interest by legal profession	5	7	7	1
i) lack of interest by other audiences	3	5	10	2
j) lack of research ability of faculty members	1	5	7	5
k) demands of teaching	12	5	3	
l) need to pay supplements to offset paid professional work	5	8	5	1
m) other			1	

E. LIBRARY

48. Estimate the capacity of your law library holdings to support:

	Excellent	Good	Adequate	Poor	
a) research	4	11	3	3	= 21
b) teaching	11	8	2		= 21

49. Please indicate the adequacy of your law library in terms of its physical facilities:

Excellent	Good	Adequate	Poor	
8	6	4	3	= 21

50. Please indicate the approximate distribution of library users:

See Table 50

- a) law school _____%
- b) other university faculty and students _____
- c) legal profession _____
- d) other _____

51. Do you have a collection development policy:

Yes 16 No 5

51a) If so, is it formulated by:

- a) university library 2
- b) law librarian 4
- c) faculty committee 4
- d) law librarian and
faculty committee - 6

51b) If policy is available please append.

52. Please indicate specific areas of:

See Tables 52A B, C & D

a) Strengths - holdings

c) Strengths - services

b) Weaknesses - holdings

d) Weaknesses - services

53. Is the law library budget:

- a) part of the law school budget 6
- b) part of the university library budget 16
- c) supported by special grants, indicate sources and amounts for 1980-81: 14

See Table 53C

Source	Amount
_____	_____
_____	_____
_____	_____

54. Please indicate the adequacy of your library budget to support:

	Excellent	Good	Adequate	Poor		
a) teaching	5	8	4	4	=	21
b) research	1	8	5	7	=	21

55. Do you have presently (or plan to have) a computer installation in your library:

Yes	No
19	2

56. Does your library subscribe to microfilm/microfiches services:

Yes	No
20	1

F. CONTINUING LEGAL EDUCATION (CLE), PUBLIC LEGAL EDUCATION (PLE), BAR ADMISSION

57. Does your law school have any formal program of CLE for the profession:

Yes	No
7	14

58. Any formal program of PLE:

Yes	No
10	10

59. What proportion of your faculty participates formally or informally in C.L.E.

0%	0-24%	25-49%	50-74%	75-100%
1	10	8	1	1

60. What proportion of your faculty participates formally or informally in P.L.E.	0%	0-24%	25-49%	50-74%	75-100%
	2	13	2	3	

61. What proportion of your faculty participates in Bar Admission teaching:	0%	0-24%	25-49%	50-74%	75-100%
	10	8	3		

62. If faculty members do participate in any of these forms of legal education, indicate the source of remuneration (if any) specifically for this activity:

	None	Law Faculty	Source of remuneration University	Law Society	Other	Any Source
a) C.L.E.	10	2	1	3	2	8
b) P.L.E.	9	2	4		2	7
c) Bar Admission	1	3		4	2	8

63. Do you feel there are advantages to this type of involvement such as:

	A great deal	Moderate	Very little	Not at all
a) goodwill	12	6	2	1
b) knowledge feedback	5	13	2	1
c) law schools' public/ professional responsibility	13	8		
d) other			1	

64. Do you feel there are disadvantages to this type of involvement such as:

	A great deal	Moderate	Very little	Not at all
a) additional teaching load	2	5	11	2
b) distraction from research		13	6	2
c) other (specify)				1

65. Do you feel law faculties should have formal responsibility for:

	Yes	No
a) C.L.E.	8	12
b) P.L.E.	11	10
c) Bar Admission	4	17

H. TEACHING PERSONNEL

71. How would you evaluate your faculty complement in the following respects:

	Excellent	Good	Adequate	Poor	No opinion
a) faculty/student ratio	4	2	7	8	
b) age distribution of faculty	3	9	9		
c) research orientation	3	10	6	2	
d) level of research activity	3	8	8	2	
e) educational formation	6	13	1		
f) experience in practice	2	7	12		
g) teaching skills	5	14	1		
h) non-academic commitments	4	9	4		3
i) career stability	5	12	2		2

72. We are interested in factors which promote or inhibit research activity by law teachers. Is research ability given weight in respect of the following decisions:

	A great deal	Moderate	Very little	Not at all
a) hiring	8	11	1	
b) promotion	17	3	1	
c) tenure	16	3	1	1
d) salary adjustments	8	6	5	2
e) sabbatical leave	8	5	8	
f) teaching load	3	8	9	1
g) other (specify)		1		

73. Are you experiencing any difficulty in hiring or retaining faculty members:

A great deal	Moderate	Very little	Not at all
5	7	9	

74. If you are experiencing any difficulty,
how important are the following factors:

	A great deal	Moderate	Very little	Not at all
a) salary levels	7	8	2	
b) attractiveness of non-academic careers	7	6	4	
c) need to fill specific subject areas	6	7	4	
d) immigration policies		6	8	4
e) competition from other law schools	4	3	10	1
f) other (specify)	5			

*See Table 74F

75. Do you have faculty policies relating
to outside remunerated work:

Yes 16 No 4

76. If "yes" do they relate to:

a) time devoted to outside work	
b) income earned	1
c) nature of outside work	3
d) other (specify)	1

76a) Please append your policy if possible.

77. In drawing up teaching assignments do you
take into account:

	A great deal	Moderately	Very little	Not at all
a) student demand	9	9	2	1
b) research interests of faculty members	7	10	4	
c) administrative functions of faculty members	3	15	3	
d) non-academic commitments of faculty members		3	11	7
e) faculty curriculum policies	15	5	1	
f) other (please specify)	4			

See Table 77F

1. INFLUENCES ON LEGAL EDUCATION AND RESEARCH

78. To what extent do university policies have an impact on the development of your law faculty in the following regards:

	A great deal	Moderately	Very little	Not at all
a) facilities, building	9	6	3	3
b) operating budget	20	1		
c) number of faculty	18	3		
d) recruitment of faculty	9	7	4	1
e) appointment, tenure, promotion policies	11	9	1	
f) non-academic commitments of faculty members	3	7	10	1
g) library	15	1	5	
h) salary structure	15	5	1	
i) support staff	13	5	3	
j) research funds	10	6	5	
k) academic standards	1	9	8	3
l) admissions policies	2	3	12	4
m) curriculum	2	3	13	3
n) administrative policies	6	10	5	
o) other	1	1		

79. To what extent do you believe that government policies have an impact on the development of your law faculty in the following regards:

	A great deal	Moderate	Very little	Not at all
a) facilities, buildings	8	3	4	4
b) operating budget	13	4	2	
c) number of faculty	8	6	3	2
d) recruitment of faculty	2	8	3	6
e) appointment, tenure, promotion policies		3	5	11
f) non-academic commitments of faculty members	1	2	5	10
g) library	6	6	3	4
h) salary structure	7	4	6	2
i) support staff	4	6	3	5
j) research funds	9	6	2	2
k) academic standards	1	1	7	10
l) admissions policies	1	3	10	5
m) curriculum	1	2	7	9
n) administrative policies		2	10	7
o) other			1	

80. To what extent at a formal level, does the legal profession have an impact on the development of your faculty in the following regards:

	A great deal	Moderate	Very little	Not at all
a) facilities, building	1		4	16
b) operating budget		1	2	18
c) number of faculty			3	18
d) recruitment of faculty	1		5	15
e) appointment, tenure, promotion policies	1		3	17
f) non-academic commitments of faculty members		5	4	12
g) library		3	9	9
h) salary structure			3	18
i) support staff		1	2	18
j) research funds	3	4	5	9
k) academic standards	1	2	7	11
l) admissions policies	2	4	4	11
m) curriculum	4	7	8	2
n) administrative policies			4	16
o) other	1*	1**		

* Continuing education activities

** Student attitudes,

81. To what extent, at an informal level, does the legal profession have an impact on the development of your faculty in the following regards:

	A great deal	Moderate	Very little	Not at all
a) facilities, building		2	7	12
b) operating budget		1	4	16
c) number of faculty		1	5	15
d) recruitment of faculty	1	3	5	12
e) appointment, tenure, promotion policies		2	4	15
f) non-academic commitments of faculty members	2	3	7	9
g) library		1	10	10
h) salary structure		3	5	13
i) support staff		2	3	16
j) research funds	1	4	7	9
k) academic standards		4	8	9
l) admissions policies		3	8	10
m) curriculum	2	9	7	3
n) administrative policies			4	16
o) other,	1*	2**		

* Continuing education

** Student attitudes, adjunct teaching

82. To what extent has your faculty's development been influenced by developments in legal education which have taken place in:

	A great deal	Moderately	Very little	Not at all
a) other Canadian law faculties	8	8 (3)	4 (2)	1 (1)
b) U.K.	1	3	14 (5)	3 (1)
c) U.S.A.	4	6	9 (5)	2 (1)
d) France			7 (4)	13 (1)
e) Australia	4	1	8 (2)	11 (4)
f) other countries (specify)	1 *	2**	3 (1)	4

* Japan

** Eastern Europe, China

(Civil Law Faculties in parentheses)

83.	To what extent do you feel that your First degree programme is treated by your university as an undergraduate programme:	A great deal	Moderately	Very little	Not at all	
		9	5	1		
84.	If treated as an undergraduate programme do you feel this causes inequities:	A great deal	Moderately	Very little	Not at all	
		6	7	2		
85.	To what extent do the following factors influence favourably or adversely the development of legal research in Canada:	Highly favourable	Favourable	Neutral or no influence	Somewhat adversely	Very adversely
a)	presence of two legal cultures	1	9 (3)	7	4	
b)	other related systems of legal education	2	8 (2)	9	1	1
c)	SSHRCC	1	17 (6)	1	2	
d)	government funding for research	1	12 (5)	3	5	
e)	commercial publishing	2	9 (2)	6	2	1
f)	law reform activity	2	18 (6)		1	
g)	curriculum of law faculties	2	11 (2)	7 (2)	1	
h)	professional attitudes towards research	1	5 (5)	8 (3)	6	1
i)	professional attitudes towards education/curriculum		1	12 (5)	6	2
j)	student attitudes towards education/curriculum	1	3	8 (4)	9	
k)	developments in research in other disciplines	2	5	14 (4)		
l)	other (please specify)		1			

(Civil Law faculties in parentheses)

86. Do you feel it would be desirable to secure greater national or regional cooperation and coordination amongst law faculties in respect of:

	Very desirable	Moderately	Very little	Not at all
a) undergraduate teaching	6 (1)	8 (3)	6 (1)	
b) graduate teaching	16 (4)	5 (2)		
c) libraries	10 (2)	10 (4)	1	
d) research	11 (2)	9 (3)	1 (1)	

87. If such cooperation and coordination is desirable, how useful would be the following structures in bringing it about:

	A great deal	Moderately	Very little	Not at all
a) government agency	1	3	11	6
b) committee of law deans	3	15	3	
c) other law-school body	2	9	7	1
d) bi/multi-lateral arrangements	8	9	4	
e) other	1			

88. Would you favour any of the following proposed arrangements:

	A great deal	Moderately	Very little	Not at all
a) centre for research on legal education	7 (2)	8 (2)	5 (1)	1 (1)
b) Canadian journal of legal education	6 (1)	7 (2)	7 (3)	1
c) institute(s) for advanced legal studies	6 (1)	10 (3)	5 (2)	
d) a Legal Resources and Services Centre at the National Library*	7 (2)	11 (3)	2	
e) other	2 (1)			

* per the National Library Report, Law Library Resources in Canada, V. Bird, 1975.

J. PUBLICATIONS

89. Does your faculty publish a law journal or review: Yes 17 No 4

89a) If so, please complete Form II (attached) for each review.

(Civil Law Faculties in parentheses)

K. CONTACT WITH OTHER OFFICIAL CANADIAN LANGUAGE/LEGAL SYSTEMS

If yours is a francophone faculty, the "other" language is English.

If yours is a common law faculty, the "other" system is civil law, and vice versa

90. How many members of your faculty have sufficient capacity in the "other" language to

See Table 90

No. of faculty

- a) teach _____
- b) supervise graduate students _____

91. How many members of your faculty have sufficient expertise in the other legal system to:

See Table 91

No. of faculty

- a) teach _____
- b) supervise graduate students _____

92. How many courses, if any, does your faculty offer in the:

See Table 92

No. of Courses

- a) other language _____
- b) other legal system _____

93. Does your faculty have any formal arrangements with faculties in the other legal system for:

* joint LL.L/LL.B programme.
civil law/common law student
exchange.

Yes No

- a) students 6 (2) 13 (3)
- b) faculty exchanges 3 (1) 16 (3)
- c) cooperation in research 1 17 (5)
- d) other (please specify)* 2 (1) 4 (3)

94. What is your estimate of the adequacy of the availability of translations of legal texts from:

Excellent

Good

Fair

Poor

No opinion

- a) French into English 5 (3) 1 9 (2) 5 (1)
- b) from English into French 4 (2) 7 (2) 5 (2) 4

(Civil Law Faculties in parentheses)

FORM II

1. Year the journal was founded: _____

	1934-50	1951-60	1961-70	1971-81
Number of journals	3	6	6	3

2. From which sources, and in what proportions, is the journal funded:

- a) faculty _____ % See Table Form II - 2
- b) grants _____
- c) subscriptions _____
- d) other (specify) _____

3. Is the journal edited by:

- a) faculty member 7
- b) students 5
- c) faculty and students 6
- d) other (please specify) 3

4. Are articles submitted to the journal evaluated by:

- a) the editors 15
- b) faculty members 10
- c) outside assessors 9
- d) not at all
- e) other (please specify)

5. Does the journal publish:

- a) articles of general interest 11
- b) articles of general interest and symposia on special topics 9
- c) articles only in a specific field(s) of interest (please specify field(s)) 7
- Only 3 specific areas were listed: access to justice (windsor),
petroleum law (alberta), and air and space law (McGill)

6. How often is the journal issued each year: _____

	1	2	2-3	3	4
Issues per yr.	1	2	2-3	3	4
No. of journals	3	6	1	3	5

7. What proportion of the authors published in the journal over the last 3 years were:

See Table Form II - 7

- a) faculty members _____%
- b) other Canadian law professors _____
- c) practitioners _____
- d) students _____
- e) non-Canadian law professors _____
- f) non-legal authors _____
- g) other _____

8. What is your estimate of the significance of the existence of the journal for research in your faculty:

Great significance	Moderate significance	Very little significance	No significance
7	7	4	

9. Does the journal publish articles in both French and English

Yes	No
11	7

Appendix C: Tables Based on the Survey of
Canadian Law Faculties

Note. Tables are numbered to accord with the relevant question in the preceding questionnaire. As not all questions required the preparation of a table, the numbered series of tables is non-sequential

SURVEY OF LAW FACULTIES - 1981

Table 2: FULL-TIME POST-GRADUATE ENROLMENT - 1980-81

	Canadian			Non-Canadian			Combined Total	% Canadian
	Male	Female	Total	Male	Female	Total		
Masters	79	71	150	57	18	75	225	66.7
%	52.7	47.3		76.0	24.0			
Doctoral	17	4	21	9	1	10	31	67.7
Others	20	18	38	2	1	3	41	92.7
Total	116	93	209	68	20	88	297	72.6
%	55.5	44.5		77.3	22.7			

SURVEY OF LAW FACULTIES - 1981

Table 3 PART-TIME POSTGRADUATE ENROLMENT - 1980-81

	Canadian			Non-Canadian			Combined Total	% Canadian
	Male	Female	Total	Male	Female	Total		
Masters %	180 71.7	71 28.3	251	10	1	11	262	95.8
Doctoral	6	2	8	7	1	8	16	50.0
Others	10	3	13	0	0	0	13	100.0
Total %	196 72.1	76 27.9	272	17	2	19	291	93.5

SURVEY OF LAW FACULTIES - 1981

Table 4: NUMBER OF DEGREES AWARDED - 1980-81

	1st Law Degree	Masters	Doctorate
1976-77	2591	141	8
1977-78	2754	110	20
1978-79	2756	89	6
1979-80	2817	145	4
1980-81	2845	140	8
Total	13763	625	46

SURVEY OF LAW FACULTIES - 1981

Table 6A OBJECTIVES REPORTED AS MOST IMPORTANT

FIRST IMPORTANCE:

- train students for practice of law - 11
- provide students with an understanding of the relationship of law and society - 4
- develop interest in law as a scholarly discipline - 2
- develop critical reflection on legal practice - 2
- develop interest in social reform - 1
- other - 1

SECOND IMPORTANCE:

- provide students with an understanding of the relationship of law and society - 6
- train students for the practice of law - 4
- train students for occupations outside legal practice - 3
- develop interest in law as scholarly discipline - 3
- develop interest in social reform - 2
- develop interest in the theory and philosophy of law - 2
- develop interest in law reform - 1

THIRD IMPORTANCE:

- develop critical reflection on legal practice - 6
- provide students with an understanding of the relationship of law and society - 5
- develop interest in law reform - 3
- train students for practice of law - 2
- train students for occupations outside legal practice - 2
- develop interest in law as a scholarly discipline - 1
- develop interest in the theory and philosophy of law - 1
- other - 1

SURVEY OF LAW FACULTIES - 1981

Table 7A AREAS OF SPECIALIZATION WITHIN LLB (as reported by eight faculties).

Labour law - 4
Criminal law - 3
Taxation - 2
Constitutional law - 2
Administrative law - 2
Natural resources and energy law - 2
Corporate law - 2
Family law - 2
Business planning - 2
Law and economics - 2
Law and philosophy - 1
Commercial law - 1
Business and finance - 1
Recherches juridiques - 1
Marine and environmental law - 1
Medicine and law - 1
International law - 1

NB: Two faculties did not specify their area of concentration.

SURVEY OF LAW FACULTIES - 1981

Table 12A COURSES IN RESEARCH SKILLS AND METHODS

The following courses were specified under question 12 by 16 faculties.

1. Elective "research paper" in 3rd. year for 2 credits.
2. La faculté organise des colloques à l'organisation desquels participent parfois les étudiants.
3. Social science research methods (not offered in recent years)
4. Un mémoire de recherche de 3 crédits est obligatoire en 3^e année.
5. Supervised study courses
6. Colloque juridique annuel, initiative étudiante, coordination par des professeurs, attribution de crédits de recherche.
Thème: Reforme du droit de la famille.
7. Research paper courses at 2nd year, 3rd year, and graduate level.
8. Natural resources practicum
Canadian legal history
Jurisprudence
Social welfare law.
9. Law and Medicine
Law and Economics (not given 1981-82)
Law and Technology
Media Law.
10. Legal Research and Writing (selected problems)
- 2nd/3rd year option.
11. 428 a/b Individual Research
497 a/b Advanced Legal Research and Writing
470 a/b Social Science in Law.
12. (i) Specific seminars
(ii) Individual assignments for course credit (2hrs.)
13. Directed research topic approved by faculty member - up to 3 units (out of required 46). 2nd/3rd year students may take up to 3 units in a faculty other than law faculty - with approval of curriculum committee.

14. Programme d'assistants didactiques
15. 4 cours obligatoires ou optionnels -
recherches juridiques appliquées
analyse social du droit
droit et intervention juridique
16. Tous les étudiants de 2^e année de licence doivent rédiger un
factum pour le tribunal - école. Les étudiants de 3^e année
de licence ont la possibilité de faire un travail de recherche
sous direction individuelle.
(cours à option)
Tribunal - école
rédaction juridique

SURVEY OF LAW FACULTIES - 1981

Table 16A MAIN DISCIPLINES INVOLVED IN INTERDISCIPLINARY COURSES

	Number of Faculties offering course	Enrolment	% total enrolment (9410)
*1. Economics	11	145	1.5
*2. Medical Law	3	126	1.3
3. Philosophy	7	103	1.1
*4. Sociology	6	96	1.0
5. History	4	93	1.0
6. Social Work	3	84	0.9
*7. Commerce/Business Admin.	7	81	0.9
8. Political Science	3	37	0.4
9. Criminology	3	33	0.4
*10. Land use and Planning	1	30	0.3

- * The enrolments in these disciplines were affected by very high figures for particular faculties. One faculty reported 99 students in a course in medical law. Another faculty reported 80 students in courses in history and sociology, 60 in social work, and 40 in economics. Finally, one faculty reported 30 students in land use planning, 25 in business (specifically government control of business) and 22 in law and psychiatry.

SURVEY OF LAW FACULTIES - 1981

Table 17A: JOINT DEGREE PROGRAMES

No. of Faculties	Programes	Total No. students
8	LLB - MBA	39
2	LLB - B Comm.	41
1	LLB - MA	1
1	LLB - LLL	6
1	LLB - BA	16
1	LLB - B Adm.	4

SURVEY OF LAW FACULTIES - 1981

Table , 18 QUALIFICATIONS OF FIRST-YEAR STUDENTS

2. YEARS POST-SECONDARY EDUCATION		A. POST - SECONDARY EDUCATION ONLY		GRADUATE WORK	
No. of Faculties	% of students	No. of Faculties	% of students	No. of Faculties	% of students
2	0	1	11	2	0
1	3	1	13	3	2
2	5	1	21	1	4
1	10	1	40	1	5
3	12	1	41	1	6
1	17	2	53	1	7
1	20	1	54	1	8
1	26	1	61	4	10
1	32	1	65	1	11
1	33	2	66		
1	35	1	68		
		1	80		
		1	88		

B. FULL-TIME WORK EXPERIENCE IN ADDITION TO:

NO POST-SECONDARY EDUCATION				SOME POST-SECONDARY EDUCATION				1ST DEGREE				GRAD. WORK			
No. of faculties	% of students	No. of faculties	% of students	No. of faculties	% of students	No. of faculties	% of students	No. of faculties	% of students	No. of faculties	% of students	No. of faculties	% of students	No. of faculties	% of students
11	0	2	0	2	0	2	0	2	0	2	0	2	0		
2	1	2	1	1	3	1	3	1	1	1	1	1	1		
1	2	3	2	1	5	1	5	2	2	2	2	2	2		
1	29	1	3	1	9	1	9	1	1	1	1	1	1		
		1	4	1	10	1	10	2	2	2	2	2	2		
		1	5	2	15	2	15	2	2	2	2	2	2		
		1	6	1	16	1	16	1	1	1	1	1	1		
		2	9	1	19	1	19	2	2	2	2	2	2		
		1	15	1	22	1	22	2	2	2	2	2	2		
		1	18	1	30	1	30	2	2	2	2	2	2		
				1	46	1	46								
				1	64	1	64								
				1	70	1	70								

SURVEY OF LAW FACULTIES - 1981

Table 22 ESTIMATED EMPLOYMENT ORIENTATION OF LAW GRADUATES

in %'s by number of faculties

a) private practice	b) government service	c) business	d) academic career	e) union	f) non-profit organization	g) other
1-40%	1- 0%	3-0%	3- 0%	11- 0%	13- 0%	7- 0%
1-50%	2- 2%	4-2%	5- 1%	6- 1%	5- 1%	5- 1%
4-70%	1- 3%	1-4%	5- 2%	2- 2%	2- 2%	4- 2%
2-75%	2- 4%	6-5%	3- 3%	1-10%	1-10%	1- 3%
3-80%	5- 5%	1- 7%	1- 4%	1-30%		2- 5%
1-83%	1- 7%	6-10%	2- 5%			1- 7%
1-85%	6-10%		2-10%			1-10%
1-86%						
1-88%						
3-90%						
1-91%						
1-92%						

Table 23A POTENTIAL UNDERGRADUATE FIELDS OF SPECIALIZATION
BY NUMBER OF FACULTIES

taxation - 5
 public - 5
 labour - 5
 internation law - 4
 oil and gas - 4
 droit administratif - 3
 family - 3
 droit agricole - 2
 criminal - 1
 commercial - 1
 droit comparé - 1
 droit médical - 1
 transportation and communication - 1
 lawyering skills (clinical) - 1
 access to justice - 1
 droit des affaires - 1
 droit privé - 1
 Japanese - 1
 legal history - 1
 legal education - 1
 marine - 1
 law of the sea - 1
 international trade - 1
 environmental - 1
 native - 1
 cooperative - 1
 human rights - 1
 government regulation of business - 1
 penal - 1

SURVEY OF LAW FACULTIES - 1981

Table 26C POTENTIAL AREAS OF CONCENTRATION IN
PLANNED GRADUATE PROGRAMES

- 1) public law
- 2) - maîtrise Professionnelle
- maîtrise en droit social et du travail
- maîtrise en recherches juridiques appliqués et intervention sociale
- 3) droit médical
- 4) environmental
- 5) development of joint common law/civil law part-time programme
- commercial, public law, comparative law, labour
- 6) natural resources and energy law; legal history; legal education;
(family law)

SURVEY OF LAW FACULTIES - 1981

Table 28 AREAS OF CONCENTRATION OF EXISTING GRADUATE PROGRAMS

- 1) native, cooperative, constitutional, human rights, criminal justice
- 2) droit du travail, droit des affaires, droit public, rédaction des lois
- 3) 80-81 - public law
81-82 - business law
82-83 - criminal or family law
- 4) legislative drafting
- 5) oil and gas, public law, medical law, international law, taxation
- 6) droit civil, droit public, droit commercial, droit pénal, droit du travail
- 7) air and space law, international commercial law, comparative law
- 8) criminal labour, constitutional and administrative, international, taxation.

SURVEY OF LAW FACULTIES - 1981

Table 32 AVERAGE GRANT PER GRADUATE STUDENT

SOURCE	Maximum average grant	Minimum average grant	average of average grants
A. university	\$7,200.	\$2,500.	\$4,678.
B. federal gov't	9,500.	6,000.	8,013.
C. provincial gov't	7,000.	4,000.	5,538
D. SSHRC	6,000.	4,600.	5,200.
E. other	9,500.	2,500.	5,643.

SURVEY OF LAW FACULTIES - 1981

Table 41A INTERDISCIPLINARY CENTRES OR INSTITUTES WITH MAJOR
OR MINOR ROLE IN LAW FACULTY RESEARCH

<u>MAJOR ROLE</u>	<u>UNIVERSITY</u>
Centre international de recherche sur le bilinguisme	Laval
Industrial Relations Centre	Queen's
Institute for Intergovernmental Affairs	Queen's
Great Lakes Institute	Windsor
Institute of Law Research and Reform	Alberta
Canadian Institute for Administration of Justice	Alberta
Resource and Environmental Institute	Dalhousie
Law and Economics Programme	Toronto
Canada - U.S. Law Institute	Western Ontario
Native Law Centre	Saskatchewan
Resource and Environmental Institute	Dalhousie
Dalhousie Ocean Studies Program	Dalhousie
 <u>MINOR ROLE</u>	
Provost for University Research	Manitoba
Centre for International Relations	Queen's
Industrial Research Institute	Windsor
International Ombudsman Institute	Alberta
Canadian Energy Institute	Calgary
Institute for Environmental Law	Toronto
Institute for Industrial Relations	Toronto
Centre for Urban and Community Studies	Toronto
Centre for the Study of Property Rights	Western Ontario
Institute for International Relations	U.B.C.
Westwater Research Centre	U.B.C.
Institut de la recherche appliqué au travail	U.Q.A.M.
Centre de formation populaire	U.Q.A.M.

SURVEY OF LAW FACULTIES - 1981

Table 43 AMOUNTS AND SOURCES OF STANDING RESEARCH FUNDS

<u>a) law faculty</u>					
	No. of faculties	Total funds	Average funds per fac.	Maximum	Minimum
1977-78	12	248,600	20,716.67	73,000	500
1978-79	14	218,100	15,578.57	54,500	1,000
1979-80	14	301,700	21,550.00	84,000	3,000
1980-81	15	292,000	19,466.67	46,000	3,000
<u>b) university</u>					
1977-78	2	3,000	1,500.00	2,000	1,000
1978-79	2	3,200	1,600.00	2,000	1,200
1979-80	3	20,200	6,733.33	15,000	1,500
1980-81	4	15,300	3,825.00	10,000	1,500
<u>c) government</u>					
1977-78	1	1,500			
1978-79	3	8,500	2,833.33	3,600	1,700
1979-80	2	7,000	3,500.00	5,000	2,000
1980-81	4	35,300	8,825.00	18,000	2,300
<u>d) foundation</u>					
1977-78	5	234,900	46,980.00	96,200	16,000
1978-79	6	280,700	46,783.33	96,300	16,000
1979-80	6	333,700	55,616.67	156,300	17,000
1980-81	7	390,200	55,742.86	140,000	5,000
<u>e) other</u>					
1977-78	1	2,500			
1978-79	1	5,000			
1979-80					
1980-81	2	13,000	6,500.00	7,500	5,500

Table 43 CON'T

	No. of faculties	<u>f) Total</u>		Maximum	Minimum
		Total funds	Average funds per fac.		
1977-78	14	490,500	30,035.00	109,700	16,400
1978-89	16	515,500	32,218.00	116,400	16,400
1979-80	16	662,600	41,412.00	172,500	16,400
1980-81	17	745,800	43,870.00	168,000	16,400

SURVEY OF LAW FACULTIES - 1981

Table 45 DISTRIBUTION OF FACULTY RESEARCH FUNDS BY OBJECTIVE

A. Preparation of Teaching Materials		B. Preparation of Books Articles		C. Preparation of Continuing or Public Legal Education Materials	
No. of faculties	% of funds	No. of faculties	% of funds	No. of faculties	% of funds
1	0%	3	0%	9	0%
1	18%	3	20%	2	5%
1	20%	2	25%	1	6%
1	30%	3	30%	3	10%
1	40%	3	40%	2	20%
3	50%	1	50%		
5	60%	1	73%		
3	75%	1	97%		
1	80%				
D. other (specify)					
		No. of faculties	% of funds		
		12	0%		
		1	3%		
		1	5%		
		1	10%		
		1	50%		

Table 50 APPROXIMATE DISTRIBUTION OF LIBRARY USERS

a) law school		b) other university faculty and students		c) legal profession		d) other	
No. of faculties	% of users	No. of faculties	% of users	No. of faculties	% of users	No. of faculties	% of users
1	70%	1	0%	2	0%	12	0%
2	75%	1	1%	1	2%	5	1%
3	80%	4	3%	2	3%	2	2%
3	85%	7	5%	2	4%	1	5%
1	86%	1	6%	4	5%	1	10%
8	90%	1	7%	2	6%		
1	91%	3	10%	1	7%		
2	95%	2	15%	2	9%		
		1	20%	4	10%		
				1	15%		

SURVEY OF LAW FACULTIES - 1981

Table 52A LIBRARY HOLDINGS - STRENGTHS

	UNIVERSITY
1. Reports, texts, North American and English journals	Manitoba
2. Excellente représentation nord américaine	Laval
3. Criminal law, international law, labour law, Quebec civil law	Queen's
4. Canadian - Quebec law, air and space law, French language European private law	McGill
5. Canadian civil liberties	Windsor
6. Common wealth and American statutes and reports, research collections in oil and gas, tax, and labour ombudsman	Alberta
7. Natural resource law, legal history	Calgary
8. International law, marine law, oil and gas, labour law	Dalhousie
9. Law reports, journals	Ottawa - Common
10. International law	Toronto
11. Periodicals	Western Ontario
12. English contract law, Japanese law, U.S. reports and statutes, U.S. journals	U.B.C.
13. Canada, U.K., Australia, New Zealand, U.S.A. international law, lesser strength in France	Osgoode Hall
14. Periodiques juridiques, statuts canadiens	Ottawa - Civil
15. Native law, criminal law, criminology, law enforcement, consumer protection, administrative law, civil liberties, family law, cooperative law, labour law, legal bibliography, resource law	Saskatchewan
16. Common law reports, statutes, texts	Victoria

SURVEY OF LAW FACULTIES

Table 52B LIBRARY HOLDINGS - WEAKNESSES

	UNIVERSITY
1. Public sector documents, government publications	Manitoba
2. Droit financier, droit européen	Laval
3. Foreign periodicals, E.E.C. other than English and French	Queen's
4. American materials	McGill
5. Admiralty, comparative law	Windsor
6. Treatises with 1920 imprints, non-English language materials, pre-1970 gov't publications	Alberta
7. International law	Calgary
8. Comparative law, foreign law	Dalhousie
9. American materials	Ottawa-Common
10. Monographs on all subjects except international law	Toronto
11. Foreign law	Western Ontario
12. U.S. materials, comparative materials, research depth	New Brunswick
13. Serials subscriptions, non-Commonwealth materials, non-English materials	U.B.C.
14. All major civil law (except France, Quebec), 3rd World, Eastern Europe	Osgoode Hall
15. Statuts étrangers	Ottawa-Civil
16. Comparative law, foreign language texts	Saskatchewan
17. Foreign and comparative law	Victoria

SURVEY OF LAW FACULTIES - 1981

Table 52C LIBRARY SERVICES - STRENGTHS

	UNIVERSITY
1. Reference	Manitoba
2. Disponibilité et facilité d'accès	Laval
3. Reference, acquisitions, cataloguing	Queen's
4. Good program (integrated with teaching) on legal research	Windsor
5. Bon service de référence, et de photocopie	Montreal
6. Computer teaching and searching, instruction in bibliographic and research methods	Alberta
7. Technical services	Calgary
8. Information desk service, instruction in legal research techniques, Canadian gov't document inquiries, computer search services	Dalhousie
9. Reference	Ottawa-Common
10. Reference	Western Ontario
11. Computer services	New Brunswick
12. Computer based research, photocopying for profession	U.B.C.
13. Reference	Osgoode Hall
14. Référence bilingue dans les deux Systèmes de droit canadien	Ottawa-Civil
15. Weekly "current service" publication, bibliographic service, display of current materials	Victoria

SURVEY OF LAW FACULTIES - 1981

Table 52D LIBRARY SERVICES - WEAKNESSES

	UNIVERSITY
1. Inter-library loan	Manitoba
2. Reference on week-ends and evenings	Queen's
3. Need for extended hours, decreasing budgetary flexibility	McGill
4. Lack of time or reference librarian for specialized bibliographies and special inquiries; lack of space to expand in 8-10 years' time.	Windsor
5. Pas de service de documentation sélective pour les professeurs, acquisitions lentes	Montreal
6. Lack of weekend reference service	Calgary
7. Acquisitions, cataloguing	Ottawa-Common
8. Public service	Toronto
9. Insufficient staff	New Brunswick
10. Staffing, shelving	U.B.C.
11. Full service not always available, especially evenings and weekends	Osgoode Hall
12. Référence fournie le jour seulement	Ottawa-Civil
13. Administrative structure, processing delays	Saskatchewan

SURVEY OF LAW FACULTIES - 1981

Table 53C SPECIAL GRANTS FOR LIBRARY SUPPORT - SOURCES, AMOUNTS

SOURCE	AMOUNT	UNIVERSITY
Queen's quest	25,000	Queen's
Law Foundation of Ontario	33,500	"
Cooperative acquisition project	4,000	"
Also Law Foundation of Ontario	- -	"
Graduate Society	35,000	McGill
Alma Mater (law)	14,000	"
Law Foundation of Ontario	65,000	Windsor
Local lawyers	3,000	"
Alberta Law Foundation	26,000	Alberta
Law Foundation of Ontario	5-10,000 (variable)	Ottawa-Common
Law Foundation (+\$10,000 for staff not in law library of Ontario budget)	15,000	Toronto
Private funding	11,500	"
Special university funding (carry-over from previous years)	9,100	"
Law Foundation of Ontario	45,000	Western Ontario
New Brunswick Law Foundation	30,000	New Brunswick
Law Foundation of B.C.	186,103	U.B.C.
Law Foundation of Ontario	20,000	Osgoode Hall
Gouvernement du Québec	150,000	U.Q.A.M.
Law Society of Upper Canada	10,000	Ottawa-Civil
Law Foundation	10,000	Saskatchewan
Donations	1,500	"
Law Foundation of B.C.	150,000	Victoria

SURVEY OF LAW FACULTIES - 1981

Table 68G OTHER ACADEMIC ADMINISTRATORS LISTED

Secretary, academic coordinator, administrative officer, admissions officer, assistant to dean for educational resources, coordinator of French language programme, director of MBA/LLB programme, executive assistant, directeur de formation professionnelle en notariat

SURVEY OF LAW FACULTIES - 1981

Table 70A ADDITIONAL ADMINISTRATIVE PERSONNEL REQUIRED

A second, non-academic senior administrator; 50% more secretarial staff; one person for continuing education placement; alumni liaison; vice-doyen; assistant dean; research resource director; administrateur à vacation pédagogique; assistant dean for non-academic administration (such as admissions, building maintenance, office allocation etc.); additional support at both managerial and secretarial levels; alumni affairs person and fund raiser; administrative officer; additional non-academic administrator; reduced workload for academics.

SURVEY OF LAW FACULTIES - 1981

Table 74F FACTORS CAUSING DIFFICULTY (A GREAT DEAL) IN HIRING STAFF

- Difficulty in recruiting female faculty members - small town location aggravates this problem.
- Critères de promotion, et congés sabbatiques, transportabilité des pensions
- Salary levels and attractiveness and availability of government and research positions e.g. Departments of Justice, Law Reform Commission.
- Financial constraints on creation of new positions and future possible "freezing", or even abolition, of vacant positions.
- University policy precluding for budgetary reasons appointments to senior ranks.

SURVEY OF LAW FACULTIES - 1981

Table 77F FACTORS IN DRAWING UP TEACHING ASSIGNMENTS

- A great deal- Agreement with Law Society of Upper Canada that certain subject areas will be available.
- Moderately - Maintenance of our faculty's reputation for unusual strength in certain subject areas.
- Beaucoup - préférences des professeurs
- A great deal - need to offer a broad range of courses even though the actual number of students who ultimately enrol in some courses is not high.
- A great deal - (i) teaching interests of faculty members
(ii) student/curriculum needs.

SURVEY OF LAW FACULTIES - 1981

Table 90 CAPACITY OF FACULTY TO TEACH OR TO SUPERVISE
GRADUATE STUDENTS IN "OTHER" LANGUAGE

A. CAPACITY TO TEACH IN "OTHER" LANGUAGE		B. CAPACITY TO SUPERVISE STUDENTS IN OTHER LANGUAGE	
No. of professors	No. of faculties	No. of professors	No. of faculties
0	5	0	7
1	1	1	2
2	4	2	3
3	1	3	1
5	1	4	2
6	1	5	1
8	1	10 (10)	2 (1)
10 (10)	1 (1)	15 (15)	1 (1)
12 (12)	2 (1)	20 (20)	1 (1)
15 (30)	2 (2)	<u>24 (24)</u>	1 (1)
<u>20 (20)</u>	1 (1)	Total	103 (69)
Total	115 (72)		

(Civil Law Faculties in parentheses)

Table 91 CAPACITY TO TEACH OR TO SUPERVISE GRADUATE STUDENTS
IN OTHER SYSTEM

A. CAPACITY TO TEACH OTHER SYSTEM		B. CAPACITY TO SUPERVISE STUDENTS IN OTHER SYSTEM	
No. of professors	No. of faculties	No. of professors	No. of faculties
0	5	0	8
1	4	1	4
2 (2)	6 (1)	2	2
3 (3)	2 (1)	3 (3)	3 (1)
4	1	4	1
5 (5)	1 (1)	5 (5)	1 (1)
<u>7 (7)</u>	1 (1)	7 (7)	1 (1)
Total	38 (17)	<u>12 (12)</u>	1 (1)
		45 (27)	

(Civil Law Faculties in parentheses)

SURVEY OF LAW FACULTIES - 1981

Table 92 COURSES IN OTHER SYSTEM, OTHER LANGUAGE

Common Law Faculties

French Language Courses Ottawa-Common offers 18 French language courses. Moncton offers all courses in French. No other faculty of common law offers French language courses.

Civil Law Courses Windsor, Dalhousie, Western, New Brunswick, and Osgoode Hall offer one course in civil law. Toronto offers three courses in civil law. Ottawa-Common offers one course in civil law but students may take courses in the civil law Section for credit towards their LL.B.

Civil Law Faculties

English or French
Language Courses McGill offers 12 French language courses. No francophone civil law faculty offers courses in English.

Common Law Courses McGill offers a full complement of courses in both legal systems. Laval and Ottawa - Civil offer one course each in common law.

FORM I LEGAL RESEARCH INSTITUTES AND CENTRES

YEAR ESTABLISHED

1950-1960 - 1

1961-1970 - 3

1971-1980 - 6

1981- - 2

II	<u>Sources of funds</u>	No.	Total amount	Maximum	Minimum	% of Total
	Law school	8	132,375	37,223	5,000	5.7
	University	5	335,000	249,000	1,000	14.4
	Provincial Gov't	3	522,855	394,150	52,000	22.5
	Federal Gov't	3	58,680	35,000	3,680	2.5
	Law Foundation	3	614,478	411,000	1,300	26.5
	Other Foundation	3	158,500	100,000	3,500	6.8
	Other	10	499,029	184,501	3,500	21.5
	Total	12	2,320,917			

III	<u>Sources of Funds:</u>	U.N. Institute for Training and Research, Chambre des Notaires, Fed. Dept. of Communications, Fed. Dept. of Transport, Quebec Provincial Gov't., Economic Council of Canada, Alberta Dept. of Advanced Education and Manpower, Richard de Boo Ltd, Teaching services and conference and course surpluses, Donner Canadian Foundation, Richard Ivey Foundation, Ontario Economic Council, Canadian Pacific, Law Foundations of Alberta, Ontario, Nova Scotia and Saskatchewan, Canadian Bar Foundation, Fed. Dept. of Justice
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IV	<u>Subject Areas of Concentration:</u>	International Economic and Social Law Comparative Law Air and Space Law Resources Law Human Rights Canada/U.S. Law Droit public - constitutionnel, administratif Prepaid Legal Services Program* Community Law Program*
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* Not clear that these are research centres.

SURVEY OF LAW FACULTIES - 1981

Table Form 11 - 2 SOURCES OF FUNDS FOR LAW JOURNALS

SOURCE	% of funds provided in number of journals					
	0%	1-10%	11-25%	26-50%	51-75%	76-100%
a) faculty	6	3	3	3	1	1
b) grants	5		3	6	3	
c) subscription		1	3	9	4	
d) other (see below)	5	3	7	1		

1) McGill - Law Journal. - 10% advertising
 5% interest
 5% royalties

2) Toronto - Law Journal 10% press subsidy
 15% advertising

SURVEY OF LAW FACULTIES - 1981

Table Form II - 7 AUTHORS PUBLISHED IN LAW JOURNALS

AUTHORS % of authors published by number of journals

AUTHORS	0%	1-10%	11-20%	21-30%	31-45%	46-60%	61-75%
a) faculty member		1	6	5	4	1	1
b) other Can. law profs.		3	5	4	4	2	
c) practitioners	1	6	9	1			1
d) students	4	6	6	1		1	
e) non-Can. law profs.	4	8	5	1			
f) non-legal authors	7	8	2	1			
g) other	9	9					

